

Also, petition of Wesley J. Knaggs, Bay City, Mich., favoring the passage of House bill 1339, granting an increase of pension to veterans of the Civil War who lost an arm or leg; to the Committee on Invalid Pensions.

Also, petition of Judson G. Wall, New York, favoring the passage of Senate bill 3, for Federal aid to vocational education; to the Committee on Agriculture.

By Mr. GEORGE: Petition of citizens of New York, N. Y., favoring the passage of House bill 26277, to establish a United States court of patent appeals; to the Committee on Patents.

By Mr. HAYDEN: Petition of X. N. Steeves and sundry other citizens of northern Arizona, protesting against the passage of the Lever bill (H. R. 19857) providing for the leasing of the public domain; to the Committee on the Public Lands.

By Mr. HAYES: Petition of Leon Lebhmann, A. Levy, Charles Doulan, J. M. Waterman, Charles F. Blackstock, Louis G. Maulhardt, Joseph D. McGrath, and I. W. Stewart, of Oxnard, Cal., protesting against the proposed reduction of tariff on sugar; to the Committee on Ways and Means.

By Mr. KINDRED: Petition of the Eastern Talking Machine Dealers' Association, New York, protesting against the passage of section 2 of the Oldfield patent bill, preventing the fixing of prices by the manufacturers of patent goods; to the Committee on Patents.

Also, petition of the board of trustees of the Trinity Methodist Episcopal Church, Astoria, Long Island, N. Y., favoring the passage of the Kenyon bill (S. 4043), preventing the shipment of liquor into dry territory; to the Committee on the Territories.

By Mr. MILLER: Petition of farmers and citizens of Minnesota, protesting against any legislation proposing a reduction of tariff on foreign potato starch; to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Resolutions of the board of directors of the Philadelphia Chamber of Commerce, favoring legislation to build a 1,700-foot dry dock at the Philadelphia Navy Yard; to the Committee on Naval Affairs.

By Mr. NEELEY: Petition of citizens of Langdon, Kans., favoring the passage of the Kenyon-Sheppard bill, for preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. PUJO: Letter from the Secretary of the Treasury with reference to the building of the post office at Crowley, La.; to the Committee on Public Buildings and Grounds.

By Mr. RICHARDSON: Papers to accompany bill for the relief of the estate of John Y. Jackson, Giles County, Tenn.; to the Committee on War Claims.

By Mr. SCULLY: Petition of Thomas A. Edison (Inc.), Orange, N. J., protesting against the passage of the Oldfield patent bill (H. R. 23417), prohibiting the fixing of prices by the manufacturers of patent goods; to the Committee on Patents.

By Mr. TILSON: Petition of the Eastern Talking Machine Dealers' Association, New York, protesting against the passage of the Oldfield patent bill, prohibiting the fixing of prices by the manufacturers of patent goods; to the Committee on Patents.

By Mr. WEEKS: Petition of citizens of Newtonville, Mass., favoring the passage of the Kenyon-Sheppard liquor bill, preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. WOOD of New Jersey: Papers to accompany bill (H. R. 28016), granting an increase of pension to Catharine J. Wesley; to the Committee on Invalid Pensions.

Also, papers to accompany bill (H. R. 28015) granting a pension to Wesley C. Beatty; to the Committee on Pensions.

SENATE.

FRIDAY, January 17, 1913.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

NAMING A PRESIDING OFFICER.

Mr. HITCHCOCK (at the Vice President's desk) directed the Secretary to read the following communication:

UNITED STATES SENATE,
Washington, D. C., January 17, 1913.

To the Senate:

I hereby name Hon. GILBERT M. HITCHCOCK, junior Senator from the State of Nebraska, to perform the duties of the Chair during my absence Friday, the 17th day of January, 1913.

AUGUSTUS O. BACON,
President of the Senate pro tempore.

Mr. HITCHCOCK thereupon took the chair as presiding officer for to-day, and directed that the Journal be read.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CULBERSON and by unani-

mous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate: H. R. 19544. An act to amend section 9 of the immigration act, approved February 20, 1907; and

H. R. 20195. An act to amend the naturalization laws.

CREDENTIALS.

Mr. JOHNSON of Maine presented the credentials of EDWIN C. BURLEIGH, chosen by the Legislature of the State of Maine a Senator from that State for the term beginning March 4, 1913, which were read and ordered to be filed.

Mr. CRANE presented the credentials of JOHN W. WEEKS, chosen by the Legislature of the State of Massachusetts a Senator from that State for the term beginning March 4, 1913, which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented resolutions adopted by sundry citizens of Brooklyn, N. Y., favoring the ratification of an arbitration treaty between the United States and Great Britain regarding Panama Canal tolls, which were referred to the Committee on Foreign Relations.

Mr. JOHNSON of Maine presented a petition of sundry citizens of Fryeburg, Me., praying for the enactment of legislation providing for the protection of migratory birds, which was ordered to lie on the table.

Mr. McLEAN presented a petition of sundry citizens of Canaan, Conn., praying for the enactment of legislation providing for the protection of migratory birds, which was ordered to lie on the table.

Mr. GRONNA presented a petition of sundry citizens of Wimbeldon, N. Dak., praying for the enactment of legislation providing for the protection of migratory birds, which was ordered to lie on the table.

Mr. BROWN presented a petition of sundry citizens of Laurel, Nebr., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which was ordered to lie on the table.

Mr. ROOT presented the petition of Miss Eugenia McGarrah, of Brooklyn, N. Y., praying for the passage of the so-called Kenyon red-light bill, which was ordered to lie on the table.

Mr. WORKS presented a memorial of the pupils in the history and civil-government classes of the Pine Avenue School, of Long Beach, Cal., approving certain legislation regarding the Panama Canal and remonstrating against interference from any other country with the commercial policy of the United States, which was referred to the Committee on Inter-oceanic Canals.

THE PRESIDENTIAL TERM.

Mr. WORKS. I have here a memorial of the National Business League of America in support of Senate joint resolution 78, together with some short newspaper editorials bearing upon the same subject. Some of these editorials go back as far as 1904, at which time this same business league was supporting the principle involved in the joint resolution. I ask that the memorial and the editorials be printed in the RECORD.

There being no objection, the matter was ordered to lie on the table, and to be printed in the RECORD, as follows:—

THE BEGINNING OF THE MOVEMENT FOR A SINGLE SIX-YEAR TERM FOR THE PRESIDENT OF THE UNITED STATES OF AMERICA.

At a meeting of the executive committee of the National Business League, held in Chicago, January 14, 1904, a movement was inaugurated, by unanimous adoption of the following preamble and resolutions, to amend the Constitution of the United States, so as to provide for a six-year presidential term, making the Chief Executive ineligible for reelection:

Whereas in view of the vast, diversified, and rapidly increasing industries and commerce of the United States and the multitude of people relying on the successful operation of productive and trade enterprises, which, to be continuously and evenly prosperous, should be unhampered by frequent distracting influences of the public mind; and Whereas the President of the United States of America is, as provided in section 1, Article II, of the Constitution of the United States, elected to office for the brief term of four years, and thereafter is eligible for reelection as President for a like term or terms; and Whereas a presidential campaign, aside from its frequent recurrence, and by reason of its expensive methods, inevitable political excitement over candidates, new issues and the possibility of a change of policy by new administrations, especially as to the tariff and finances, involves the commercial interests of the country in a condition of unrest and uncertainty, producing a partial paralysis of business activities and delaying promotion of new undertakings for at least one year before and possibly for some time subsequent to, the election of a Chief Executive: Therefore be it

Resolved, That, as a measure of the greatest import to the manufacturing and commercial interests, wage earners, and the people generally, by reason of a consequent longer period of industrial tran-

quility and prosperity, also as a means of relieving the President of many annoyances that seriously interfere with the unrestricted discharge of his official duties to the people, the National Business League hereby recommends an amendment to the Constitution of the United States, fixing the presidential term at six years and making the Chief Executive ineligible for reelection; and be it also

Resolved, That the National Business League hereby adopts the proposition as an important subject of its efforts for the common good, on which its best endeavors shall be directed until the aforesaid proposed amendment is duly ratified by the States and confirmed by the Congress of the United States; and be it further

Resolved, That copies of these resolutions be sent to each Member of the Senate and House of Representatives at Washington, to all manufacturers, commercial organizations, prominent business firms, and the press throughout the country.

[Editorial from the Chicago Evening Post, Aug. 17, 1904.]

SIX-YEAR PRESIDENTIAL TERM.

Elsewhere in this issue the Evening Post presents the views of prominent business and professional men of the country regarding the movement set afoot by the National Business League to secure an amendment to the Constitution of the United States which would lengthen the presidential term to six years and make the Chief Executive ineligible for reelection. The reasons advanced for the change are eminently sound and the Evening Post heartily indorses the proposition.

As the league points out in the letter which invited the responses printed, presidential campaigns now are too frequent, enormously expensive to business interests, and sure creators of turmoil and uncertainty "to the great disadvantage of capital and labor." They "indefinitely prevent the beginning and check the growth of industrial enterprises," and presidential years show a decidedly bad effect on commercial transactions generally.

Such arguments as the foregoing must appeal with peculiar force to business interests everywhere; but the fourth reason given by the league should have the thoughtful consideration of every citizen: "The President during his first term naturally being anxious to succeed himself is kept busy considering the demands of politicians and planning for a second term; meanwhile important legislation for the general good waits."

Commenting on this Judge Tuley says that such a constitutional amendment "will mean the overthrow of the 'boss' and 'machine' government of the people now existing." Deprived of patronage the "boss" and the "machine" must cease to exist. Then, in the words of Judge Tuley, "the people will again govern themselves."

Of the hundreds of replies received by the league not more than 1 per cent are unfavorable or indifferent to the movement. It is a plan certain to be indorsed by every business interest in the country. Add to this the desirableness of a return to genuine self-government through freeing the President from the dictation of the political "boss" and the political "machine" and we easily may foresee hearty popular commendation of the initiative taken by the National Business League.

The practical politician may oppose the movement because he is the only one to be hurt by its success. But let it once be clearly understood that the people and the business interests desire the amendment; that the welfare of the Nation demands it, and there will be few States in the Union that will hesitate to give to Congress the necessary authority to act finally once the question is submitted to them.

[Editorial from Chicago Evening Post, Oct. 24, 1904.]

THE SIX-YEAR TERM.

To-day the Evening Post prints a second installment of letters that have come to the National Business League of Chicago in response to its proposal regarding a six-year single-tenure term for the President of the United States. These letters show that the efforts of the league are systematic and well organized; but they show, with equal force, that the business interests of the country are taking up this matter with an earnestness that promises ultimate success.

As clearly brought out in this and the previous article in the Evening Post, there are many strong arguments in favor of the proposition and very few against it. Here and there a politician objects to lengthening the presidential term, and especially to making an incumbent of the high office ineligible for reelection, but the reasons given are among the most convincing arguments offered in support of the change—they show so plainly the manifest evils of the present system.

The National Business League is not unmindful of the difficulties that lie in the way of securing any amendment to the National Constitution, but it realizes the vast power and influence that must be wielded by the united business interests of this preeminently commercial Nation. It does not follow that because the only amendments made to the Constitution since its adoption were a result of war that nothing but war can secure an amendment. Great changes have taken place in this country and in the world since the latest additions were made to the fundamental law of the United States, not the least of which is the growing general recognition that the advances due to peaceful agitation are more likely to be safe and permanent than those forced by the sword.

What our business interests demand they sooner or later succeed in getting. The National Business League is securing the cordial cooperation of other business organizations and of influential men throughout the country. It has announced its determination not to relax its efforts until a satisfactory conclusion is reached. In this fact rests the greatest promise of success. The presidential election seriously disturbs business; the eligibility of the President to reelection has a baneful effect on our political life. Thurman said: "You will never have any genuine reform in the civil service until you adopt the one-term principle in reference to the Presidency."

Business wishes to have these periods of disturbance farther apart; the increasing number of independent citizens desires a genuine civil-service reform, cleaner politics, fewer opportunities for corruption in public life. These forces are certain to unite in support of the constitutional amendment advocated by the National Business League, and, once united, the object of their concerted effort is certain of attainment.

It is a very difficult but not an impossible thing to amend the Constitution of the United States, and in this age of unparalleled commercial and industrial activity we can fancy no more likely amendment than one intended primarily to protect and conserve our business interests.

[Editorial from the Chicago Daily News.]

In urging the adoption of a constitutional amendment extending the presidential term to six years, and forbidding the reelection of a

Chief Magistrate of the Nation, the executive committee of the National Business League has thrown its influence on the side of an important reform.

The business men of the country realize keenly that with the presidential year they are entering upon a period of political turmoil which in the existing circumstances is worse than useless. There are no great issues pressing for settlement. The country is prosperous and contented. Yet the approach of the national campaign has set the demagogues at work hunting issues and manufacturing party cries merely to get the voters stirred up and to render the public uneasy and apprehensive. The psychological effect of all this must be to spread the blight of uncertainty and vague alarm in business affairs, to the grievous hurt of the people generally. Why not lengthen the presidential term and thus reduce the number of these costly disturbances?

Students of political conditions are well aware that the first term of every President is largely influenced by the desire of himself and his supporters in and out of office to prepare the way for his reelection. Thus it comes about that the inducements to run the administration so as to gratify the President's personal ambition are almost irresistible. The interests of millions of people are continually subordinated to his longing for a second term.

To give the President a term of six years, with no possibility of obtaining a second under any circumstances, would be to bestow upon the country a larger measure of tranquillity and a government genuinely planned to promote the general welfare.

[From the Chicago Record-Herald.]

No doubt the argument that will appeal most strongly to the business interests of the country, in fact to all men who love the peaceful pursuit of productive industry, is found in the fact that a six-year term would make the intervals between presidential campaigns longer and the disturbance of business conditions less frequent. The average business man does not believe that his aversion to political excitement and upheaval is incompatible with patriotism. He is willing to have the country "set on fire" by the spellbinders and business suspended for a few months in order to elect a President, provided it doesn't come too often. Once every six years would suit him perfectly.

But to most men who are familiar with politics and politicians the strongest feature of the proposed amendment is the one-term idea. If the President were ineligible for reelection, he would be absolutely free and untrammelled in the administration of his high office. He need not be hampered by the hungry horde of place hunters that generally dogs the steps of the President for months after his election. The business of "laying wires" to hold State delegations for a future nominating convention would be a thing of the past. The most high-minded, patriotic President is not free from an ambition to succeed himself. It is too much to expect him to offend the leaders who control the sources of party power, even though a high sense of public duty may seem at times to demand it.

The six-year-one-term idea for President will grow in popular favor the more its very obvious benefits are studied and understood.

[Editorial from the Chicago Daily Journal, June 18, 1904.]

CHANGING THE PRESIDENTIAL TENURE.

The proposition to extend the presidential term to six years and to render the occupant ineligible for reelection will find favor in the business world.

Many good reasons for the change are set forth by the National Business League, which has taken the matter up with a vigor and persistence worthy of success.

It is claimed that presidential campaigns are too frequent, too expensive, and too disturbing in their effects upon business.

It is shown by the league that presidential years are marked by an increase of business failures and by a decrease of exports, bank clearings, stock sales, and commercial transactions generally.

Certainly these are strong reasons why national campaigns should not so frequently disturb the country.

But they will not appeal so readily to public sentiment as the second proposition—limiting the President to a single term.

The most serious menace to our republican form of government is the liberty afforded an ambitious Chief Executive, with unlimited patronage at his disposal, to build up a machine and continue himself in office.

While such power exists the people, no matter how ardently they may desire a change, are practically helpless.

Fortunately few of our Presidents have been disposed to exercise this unbridled advantage. The time may come, however, when its employment by an unscrupulous occupant of the White House will reveal to the people their political impotency.

Not the business interests of the country alone but the whole people are interested in the preservation of whatever rights the electorate may have in the choice of a Chief Magistrate.

IN RE A SINGLE SIX-YEAR TERM FOR THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Whereas on May 21, 1912, the Committee on the Judiciary of the United States Senate reported favorably the Senate joint resolution No. 78, introduced by Mr. WORKS of California, the text being as follows:

"The executive power shall be vested in a President of the United States of America. The term of the office of President shall be six years; and no person who has held the office by election, or discharged its powers or duties, or acted as President under the Constitution and laws made in pursuance thereof, shall be eligible to again hold the office by election.

"The President, together with a Vice President chosen for the same term, shall be elected as follows."

Therefore be it
Resolved, That the board of directors of the National Business League of America hereby indorses the said Senate joint resolution No. 78, as favorably reported by the Committee on the Judiciary.

Chicago, January 14, 1913.

GEO. W. SHELTON,
President.
AUSTIN A. BURNHAM,
General Secretary.

ARMY AND NAVY UNION.

Mr. BRISTOW, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 239) author-

izing the Secretary of War to deliver a condemned cannon to the Army and Navy Union, United States of America, reported it without amendment and submitted a report (No. 1122) thereon.

MOUNT OLIVET CEMETERY LANDS, SALT LAKE COUNTY, UTAH.

Mr. SMOOT. From the Committee on Public Lands I report back favorably without amendment the bill (S. 8092) granting to the Emigration Canon Railroad Co., a corporation of the State of Utah, permission, in so far as the United States is concerned, to occupy for a right of way for its railroad track a certain piece of land now included in the Mount Olivet Cemetery, Salt Lake County, Utah, and I submit a report (No. 1120) thereon. I ask for the immediate consideration of the bill.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

Mr. CULBERSON. From what committee does it come?

Mr. SMOOT. From the Committee on Public Lands.

Mr. CULBERSON. Is it a unanimous report?

Mr. SMOOT. It is a unanimous report, Mr. President.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Emigration Canon Railroad Co., a corporation of the State of Utah, is hereby granted permission, in so far as the United States is concerned, to occupy, for a right of way for its railroad track, that piece of land now included in the Mount Olivet Cemetery, Salt Lake County, Utah, particularly bounded and described as follows: Commencing at a point 169 feet east and 100 feet north of the southwest corner of the Fort Douglas Military Reservation, in Salt Lake County, Utah; thence northwesterly rounding a twenty-degree curve, a distance of 351.99 feet, to a point on the west line of the said military reservation, a distance of 387.9 feet north from the southwest corner of said reservation; thence south to a point 100 feet north of the southwest corner of said Fort Douglas Military Reservation; thence east a distance of 169 feet to place of beginning; containing in all 0.319 acre.

Mr. BRISTOW. My attention was diverted. What is the bill, and what is the request?

Mr. SMOOT. By an act of Congress approved January 23, 1909, a portion of this reservation, amounting to about 50 acres, was conveyed by deed to the Mount Olivet Cemetery Association, Salt Lake, for the burial of the dead, with the reservation that it should be used for that purpose, and when not so used it should revert to the Government of the United States.

The Emigration Railroad has a track upon one side of it, and has had for years. At the end of it there is a 5½ per cent grade with a seventy-degree curve, and it is quite dangerous. The Mount Olivet Cemetery people are perfectly willing that the railroad company should take about one-third of an acre of the corner of the land so as to make a curve instead of a sharp turn.

There is no objection on the part of the department and no objection on the part of the cemetery people. It is simply obviating a very dangerous situation.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT BAY CITY, TEX.

Mr. CULBERSON. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (S. 7639) to provide for the erection of a public building in the city of Bay City, in the State of Texas, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes to be erected upon the site already acquired in the city of Bay City, Tex., a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post office in the city of Bay City, Tex., the cost of the building, including vaults, heating and ventilating apparatus, elevators, and approaches complete not to exceed \$75,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CROW INDIANS OF MONTANA.

Mr. CHAMBERLAIN. I reported yesterday a resolution from the Committee on Indian Affairs, and it was discussed at some length. I desire now to renew the request for unanimous consent to consider that resolution.

The PRESIDING OFFICER. The resolution will be stated.

The SECRETARY. Senate resolution 352, authorizing the Secretary of the Interior to furnish information to the Attorney

General and the Attorney General to make an investigation and bring action in reference to the affairs of the Crow Indians.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

The PRESIDING OFFICER. The amendment of the Committee on Indian Affairs will be read.

The SECRETARY. The Committee on Indian Affairs report to strike out all after the resolving clause and to insert:

That the Attorney General be, and he is hereby, authorized to investigate the affairs of the Crow Indians of Montana and to bring and prosecute such action as may be necessary to protect the interests and secure the rights of such Indians, or of any member of them, and all departments of the Government are authorized to turn over to the Attorney General such records, papers, and other information as he may require to make such investigation or bring such action.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

JACOB M. COOPER.

Mr. SANDERS. From the Committee on Military Affairs I report back favorably, without amendment, the bill (S. 3859) for the relief of Jacob M. Cooper, and I submit a report (No. 1121) thereon. I ask for the immediate consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Jacob M. Cooper, now a resident of Iowa, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private in Company C, Twenty-second Regiment United States Infantry, July 18, 1868. But no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TOWNSEND:

A bill (S. 8161) to provide for the erection of a public building in the city of Midland, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Maine:

A bill (S. 8162) granting an increase of pension to Joseph A. Libby; to the Committee on Pensions.

By Mr. PAGE:

A bill (S. 8163) granting an increase of pension to Mary E. Allen (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 8164) granting an increase of pension to Ellen M. Vinton (with accompanying papers);

A bill (S. 8165) granting an increase of pension to Don Pedro Griswold (with accompanying papers);

A bill (S. 8166) granting an increase of pension to Sarah J. Wheatley (with accompanying papers); and

A bill (S. 8167) granting an increase of pension to Anna R. Atwood (with accompanying papers); to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 8168) for the relief of George F. Schild; to the Committee on Claims.

A bill (S. 8169) for the protection and increase of State game preserves; to the Committee on Agriculture and Forestry.

By Mr. CURTIS:

A bill (S. 8170) granting an increase of pension to Monroe Garrett;

A bill (S. 8171) granting an increase of pension to Isaac M. White;

A bill (S. 8172) granting a pension to Thomas Taylor Moss; and

A bill (S. 8173) granting an increase of pension to Georgiana Packard; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 8174) granting an increase of pension to James W. New (with accompanying papers); to the Committee on Pensions.

By Mr. KERN:

A bill (S. 8175) granting a pension to Durance R. McFeely (with accompanying papers); and

A bill (S. 8176) granting an increase of pension to Benjamin F. Havens (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 8177) to prevent the transportation by interstate commerce of adulterated, concentrated, commercial feeding material for domestic animals and poultry, and providing a penalty for the violation of the act; to the Committee on Interstate Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MARTIN of Virginia submitted an amendment proposing to appropriate \$12,000 for grading and macadamizing Longfellow Street in the District of Columbia, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. DIXON submitted an amendment proposing to increase the appropriation for continuing the construction of irrigation systems to irrigate the allotted lands of Indians on the Flathead Reservation in Montana, etc., from \$150,000 to \$400,000, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate \$2,573.25 to pay Omer D. Lewis, lease clerk at the Flathead Indian Agency, Mont., for expenses incurred for hospital and doctors' fees for personal injuries received while aiding Federal officers in suppressing the sale of liquor to Indians, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. BROWN submitted an amendment proposing to appropriate \$1,200 to repair the Government bridge across the Niobrara River in Knox County, Nebr., for the use of the Santee and Ponca Indians, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (H. R. 27475) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, which was referred to the Committee on Pensions and ordered to be printed.

FOREST RESERVES IN WASHINGTON.

Mr. JONES submitted the following resolution (S. Res. 434), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of Agriculture be, and he is hereby, directed to report to the Senate at as early a date as possible the names of the forest reserves in the State of Washington; the area of each; the number of homestead entries allowed in each under the act of June 11, 1906; the number of ranger stations in each and the area reserved for ranger purposes; the number of acres under cultivation in connection with ranger stations; the number of applications that are now pending under said act of June 11, 1906; the number rejected and the number allowed in each of said reserves.

FRIEDMANN CURE FOR TUBERCULOSIS (S. DOC. NO. 1018).

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Public Health and National Quarantine, and ordered to be printed:

To the Senate of the United States:

I transmit herewith a memorandum of the Secretary of State, inclosing a report prepared by the consul general at Berlin, in regard to the Friedmann cure for tuberculosis.

The report is sent in reply to a resolution of the Senate of January 2, 1913, by which I am requested to submit to the Senate the results of any investigation of the Friedmann cure made or being made by the American consul general in Germany or any other officer of the United States.

WM. H. TAFT.

THE WHITE HOUSE, January 16, 1913.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Immigration:

H. R. 19544. An act to amend section 9 of the immigration act approved February 20, 1907; and

H. R. 20195. An act to amend the naturalization laws.

ABATEMENT OF NUISANCES.

Mr. CURTIS. I ask unanimous consent for the present consideration of the bill (S. 5861) to enjoin and abate houses of

lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof. The bill was read in full on the 13th.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CRAWFORD. Is that a bill which is going to provoke discussion?

Mr. CURTIS. I think not. I will not press it if it does.

Mr. CRAWFORD. I will not object if it leads to no discussion.

Mr. CURTIS. I will withdraw it, if there is any trouble.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, page 1, line 4, after the word "own," to insert "occupy," so as to read:

That whoever shall erect, establish, continue, maintain, use, own, occupy, or re-lease any building, erection, or place used for the purpose of lewdness, assignation, or prostitution in the District of Columbia is guilty of a nuisance, and the building, erection, or place, or the ground itself in or upon which such lewdness, assignation, or prostitution is conducted, permitted, or carried on, continued, or exists, and the furniture, fixtures, musical instruments, and contents are also declared a nuisance, and shall be enjoined and abated as hereinafter provided.

The amendment was agreed to.

The next amendment was, in section 5, page 5, line 6, after the word "section," to strike out the following:

For removing and selling the movable property the officer shall be entitled to charge and receive the same fees as he would for levying upon and selling like property on execution, and for closing the premises and keeping them closed a reasonable sum shall be allowed by the court.

The amendment was agreed to.

The next amendment was, in section 8, page 6, line 22, after the word "to," to insert "the," and on page 7, line 6, after the word "act," to strike out "excepting that 10 per cent of the amount collected shall be paid by the collector of taxes to the attorney representing the United States for the District of Columbia in the injunction action at the time of final judgment," so as to read:

In case the assessor fails or neglects to make said assessment the same shall be made by the chief of police, and a return of said assessment shall be made to the collector of taxes. Said tax shall be a perpetual lien upon all property, both personal and real, used for the purpose of maintaining said nuisance, and the payment of said tax shall not relieve the person or building from any other penalties provided by law. The provisions of the law relating to the collection and distribution of taxes upon personal and real property shall govern in the collection and distribution of the tax herein prescribed in so far as the same are applicable and not in conflict with the provisions of this act.

The amendment was agreed to.

The next amendment was, on page 7, to strike out section 9, in the following words:

Sec. 9. That this act shall take effect and be in force 90 days after its passage.

The amendment was agreed to.

The next amendment was, on page 7, to insert a new section, as follows:

Sec. 9. The United States district attorney or other attorney representing the prosecution for violation of this statute, with the approval of the court, may grant immunity to any witness called to testify in behalf of the prosecution.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OMNIBUS CLAIMS BILL.

Mr. CRAWFORD. I ask that the Senate resume the consideration of House bill 19115, known as the omnibus claims bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts.

Mr. CRAWFORD. Mr. President, there are two or three amendments from the Committee on Claims in relation to longevity or overtime navy-yard charges, exactly similar to those which have already been incorporated in the bill. I will send them to the desk and ask to have them adopted:

The PRESIDING OFFICER. The amendments proposed by the Senator will be stated.

The SECRETARY. On page 153, after line 12, it is proposed to insert the following:

To Joseph M. Padgett, \$451.09.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment proposed by the Senator from South Dakota will be stated.

The SECRETARY. It is also proposed, on page 157, after line 14, to insert the following:

To Hannah McCray, widow of John McCray, deceased, \$362.67.
To James H. Macon, sr., \$126.50.

The amendment was agreed to.

The PRESIDING OFFICER. Does the Senator desire to have the findings in these cases printed in the RECORD?

Mr. CRAWFORD. I do.

The PRESIDING OFFICER. It will be so ordered.

Mr. CRAWFORD. I also submit an amendment covering several cases, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 203, after line 18, it is proposed to insert:

To Eleanor L. and Henry C. Lovell, sole heirs of Henry C. Lovell, deceased, \$906.66.
To Annie I. Fernald Crowell, widow (remarried) of Alonzo Fernald, deceased, \$386.40.
To Margaret A. Norton, widow of Daniel C. Norton, deceased, \$596.86.
To Emma S. Wherren, administratrix of James W. Wherren, deceased, \$140.43.

The PRESIDING OFFICER. Without objection, the amendment will be agreed to, and the findings will be printed in the RECORD.

The findings referred to are as follows:

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, June 3, 1912.

HON. JAMES S. SHERMAN,
President of the Senate.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings of fact and conclusion filed by the court in the aforesaid cause, which case was referred to this court by resolution of the United States Senate under the act of March 3, 1887, known as the Tucker Act.

I am, very respectfully, yours,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[Court of Claims. Congressional, No. 13727. Subnumbers 237 and 239. 237, Hannah McCray, widow of John McCray, deceased; 239, James H. Macon, sr., v. The United States. Pensacola Navy Yard.]

STATEMENT OF CASE.

This is a claim for the payment of the above-named claimants for services rendered at the Pensacola Navy Yard between March 21, 1878, and September 22, 1882, for extra labor above the legal day of eight hours.

On the 22d day of May, 1908, the United States Senate referred to the court a bill in the following words:

"[S. 6702, Sixtieth Congress, first session.]

"A bill for the relief of John W. Knight and others.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John W. Knight, and to the others who have joined with him in a petition to this Congress, dated April 6, 1908, the amounts that may be found due to each of them, respectively, for extra labor, above the legal day of 8 hours, while employed by the United States as workmen, laborers, or mechanics of the various navy yards of the United States, performed by them by reason of and under the provisions of Circular No. 8, issued by the Secretary of the Navy on March 21, 1878."

Thereafter the claimants named above, and each of them, offered and filed their respective petitions herein, in which they, and each of them, aver substantially as follows:

That between March 21, 1878, and the 21st day of September, 1882, they, and each of them, were employed by the Government of the United States at the navy yard at Pensacola, Fla.; that on the 21st day of March, 1878, the Secretary of the Navy issued the order referred to in claimant's petition, known as "Circular No. 8" and set forth in Finding I herein.

That during the six months in each year from the date of said order to the 21st day of September, 1882, they worked during all or a portion of the time they were so employed in excess of eight hours per day, and that they, and each of them, were paid for only eight hours' work per day for the time that they were so employed during said period, and that they, and each of them, are entitled to the amounts set forth in their respective petitions, being the pay for all time worked during said period in excess of eight hours per day.

The case was brought to a hearing on the evidence and merits on the 8th day of January, 1912.

Messrs. Clarence W. De Knight and Brandenburg & Brandenburg appeared for the claimants, and the Attorney General, by Percy M. Cox, Esq., his assistant and under his direction, appeared for the defense and protection of the interests of the United States.

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT.

I. Between the 21st day of March, 1878, and the 22d day of September, 1882, the claimants herein, or their decedents, and each of

them, were in the employ of the United States in the navy yard at Pensacola, Fla., during which time the following order was in force: Circular No. 8.]

NAVY DEPARTMENT,
Washington, D. C., March 21, 1878.

The following is hereby substituted, to take effect from this date, for the circular of October 25, 1877, in relation to the working hours at the several navy yards and shore stations:

The working hours will be, from March 21 to September 21, from 7 a. m. to 6 p. m.; from September 22 to March 20, from 7.40 a. m. to 4.30 p. m., with the usual intermission of one hour for dinner.

The department will contract for the labor of mechanics, foremen, leading men, and laborers on the basis of eight hours a day. All workmen electing to labor ten hours a day will receive a proportionate increase of their wages.

The commandant will notify the men employed or to be employed of these conditions, and they are at liberty to continue or accept employment under them or not.

R. W. THOMPSON,
Secretary of the Navy.

II. Said claimants, and each of them, or their decedents, while in the employ of the United States as aforesaid, worked on the average the number of hours set opposite their respective names in excess of 8 hours a day at the wages stated, to wit: 237, John McCray, 1,450½ hours, at \$2 per day; 239, James H. Macon, sr., 1,66½ hours, at \$1.50 per day; 33 hours, at \$1 per day; 419½ hours, at \$1.74 per day.

III. If it is considered that 8 hours constituted a day's work during the period from March 21, 1878, to September 22, 1882, under said Circular No. 8, then the claimants, or their decedents, have been underpaid the sums set opposite their respective names, as follows:
Hannah McCray, widow of John McCray, deceased, \$362.67.
James H. Macon, sr., \$126.50.

IV. Said claims were never presented to any department or officer of the Government prior to their presentation to Congress and reference to the court as hereinbefore set forth in the statement of the case, and no competent evidence is adduced to show why claimants did not earlier prosecute their said claims.

CONCLUSION.

Upon the foregoing findings of fact the court concludes that the claims herein are not legal ones against the United States, and are equitable only in the sense that the United States received the benefit of the services of claimants, or their decedents, in excess of 8 hours a day, as above set forth.

BY THE COURT.

Filed February 12, 1912.

A true copy.

Test this 29th day of May, 1912.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, June 14, 1912.

HON. JAMES S. SHERMAN,
President of the Senate.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings of fact and conclusion filed by the court in the aforesaid cause, which case was referred to this court by resolution of the United States Senate, under the act of March 3, 1887, known as the Tucker Act.

I am, very respectfully, yours,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[In the Court of Claims of the United States. Congressional, No. 15476—23, 27, 32. No. 23, Annie I. Fernald Crowell, widow (remarried) of Alonzo Fernald, deceased; No. 27, Margaret A. Norton, widow of Daniel C. Norton, deceased; No. 32, Emma S. Wherren, administratrix of James W. Wherren, deceased, v. The United States.]

The claims herein are for services rendered by claimants at the Portsmouth (N. H.) Navy Yard between March 21, 1878, and September 22, 1882, for extra labor above the legal day of eight hours.

On the 19th day of February, 1908, the United States Senate by resolution referred to the court Senate bill No. 5528, which is in the following words:

"A bill for the relief of Joseph M. Padgett and others.

"Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph M. Padgett, and to the others who have joined with him in a petition to this Congress, dated February 17, 1908, the amounts that may be found due to each of them, respectively, for extra labor above the legal day of eight hours, while employed by the United States as workmen, laborers, or mechanics at the various navy yards of the United States, performed by them by reason and under the provisions of Circular No. 8, issued by the Secretary of the Navy on March 21, 1878."

Thereafter, the claimants above named appeared and filed their petitions in this court, in which they aver substantially as follows:

That between March 21, 1878, and September 21, 1882, they were employed by the Government of the United States at the navy yard at Portsmouth, N. H.; that on March 21, 1878, the Secretary of the Navy issued the order referred to in claimants' petitions, known as "Circular 8," and hereinafter set forth in Finding I.

That during the six months in each year from the date of said order to the 21st day of September, 1882, they worked during all or a portion of the time they were so employed during said period, and that they are entitled to the value of the time worked in excess of eight hours a day.

The cases were brought to a hearing on the evidence and merits on the 28th day of May, 1912.

Messrs. Brandenburg & Brandenburg and Clarence W. De Knight appeared for the claimants, and the Attorney General, by Percy M. Cox, Esq., his assistant and under his direction, appeared for the defense and protection of the interests of the United States.

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT.

I. Between the 21st day of March, 1878, and the 22d day of September, 1882, the decedents herein were in the employ of the United

States in the navy yard at Portsmouth, N. H., during which time the following order was in force:
Circular No. 8.]

NAVY DEPARTMENT,
Washington, D. C., March 21, 1878.

The following is hereby substituted, to take effect from this date, for the circular of October 25, 1877, in relation to the working hours at the several navy yards and shore stations:

The working hours will be, from March 21 to September 21, from 7 a. m. to 6 p. m., from September 22 to March 20, from 7.40 a. m. to 4.30 p. m., with the usual intermission of one hour for dinner.

The department will contract for the labor of mechanics, foremen, leading men, and laborers on the basis of eight hours a day. All workmen electing to labor ten hours a day will receive a proportionate increase in their wages.

The commandants will notify the men employed or to be employed of these conditions, and they are at liberty to continue or accept employment under them or not.

R. W. THOMPSON,
Secretary of the Navy.

II. Said decedents and each of them, while in the employ of the United States as aforesaid, worked on the average the number of hours set opposite their respective names in excess of eight hours a day and at the wages below stated, to wit:

	Hours.
No. 23. Alonzo Fernald, at \$3 per day-----	1,030½
No. 27. Daniel C. Norton:	
At \$3 per day-----	1,438
At \$2.74 per day-----	10
At \$3.26 per day-----	133
No. 32. James W. Wherren, at \$3 per day-----	374½

III. If it is considered that eight hours constituted a day's work during the period from March 21, 1878, to September 22, 1882, under said Circular No. 8, then claimants' decedents have been underpaid the sums set opposite their respective names, as follows:

No. 23. Annie I. Fernald Crowell, widow (remarried) of Alonzo Fernald, deceased, \$386.40.
No. 27. Margaret A. Norton, widow of Daniel C. Norton, deceased, \$596.86.
No. 32. Emma S. Wherren, administratrix of James W. Wherren, deceased, \$140.43.

IV. The claim of Alonzo Fernald was filed in this court in 1888 under No. 16321, general jurisdiction, and same was dismissed in 1906 for want of prosecution, and no reason is given why the claim was not prosecuted to a final judgment in this court.

Except as above stated, the claims herein were never presented to any department or officer of the Government prior to the presentation thereof to Congress and reference to this court as set forth in the statement of the case, and no evidence is adduced to show why said claimants did not earlier prosecute their claims.

CONCLUSION.

Upon the foregoing findings of fact the court concludes that the claims herein are not legal ones against the United States and are equitable only in the sense that the United States received the benefit of the services of said decedents in excess of eight hours a day as above set forth.

BY THE COURT.

Filed June 3, 1912.
A true copy.
Test this 13th day of June, 1912.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, June 14, 1912.

HON. JAMES S. SHERMAN,
President of the Senate.

Sir: Pursuant to the order of the court, I transmit herewith a certified copy of the findings of fact and conclusions filed by the court in the aforesaid cause, which case was referred to this court by resolution of the United States Senate, under the act of March 3, 1887, known as the Tucker Act.

I am, very respectfully, yours,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[In the Court of Claims of the United States. Congressional, No. 14188-70. Eleanor L. and Henry C. Lovell, sole heirs of Henry C. Lovell, v. The United States. Portsmouth (N. H.) Navy Yard.]

STATEMENT OF CASE.

This is a claim for payment of the above-named claimants for services rendered at the Portsmouth (N. H.) Navy Yard, between March 21, 1878, and September 22, 1882, for extra labor above the legal day of eight hours.

On the 22d day of May, 1908, the United States Senate referred to the court a bill in the following words:

"[S. 6702, Sixtieth Congress, first session.]

"A bill for the relief of John W. Knight and others.

"Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated to John W. Knight and to the others who have joined with him in a petition to this Congress, dated April 6, 1908, the amounts that may be found due to each of them, respectively, for extra labor above the legal day of eight hours while employed by the United States as workmen, laborers, or mechanics of the various navy yards of the United States, performed by them by reason of and under the provisions of Circular No. 8, issued by the Secretary on March 21, 1878."

Thereafter the claimants above named, and each of them, offered and filed their respective petitions herein in which they, and each of them, aver substantially as follows:

That between March 21, 1878, and the 21st day of September, 1882, they and each of them were employed by the Government of the United States at the navy yard at Portsmouth, N. H.; that on the 21st day of March, 1878, the Secretary of the Navy issued the order referred to in claimant's petition, known as "Circular No. 8," and set forth in Finding I herein.

That during the six months in each year from the date of said order to the 21st day of September, 1882, they worked during all of a portion of the time they were so employed in excess of eight hours per day, and that they, and each of them, were paid only for eight hours' work per

day for the time that they were so employed during said period, and that they, and each of them, are entitled to the amounts set forth in their respective petitions, being the pay for all time worked during said period in excess of eight hours per day.

The case was brought to a hearing on the evidence and merits on the 29th day of May, 1912.

Messrs. Clarence W. De Knight and Brandenburg & Brandenburg appeared for the claimants, and the Attorney General, by Percy M. Cox, Esq., his assistant and under his direction, appeared for the defense and protection of the interests of the United States.

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT.

I. Between the 21st day of March, 1878, and the 22d day of September, 1882, the claimants herein, or their decedents, and each of them, were in the employ of the United States in the navy yard at Portsmouth, N. H., during which time the following order was in force:
Circular No. 8.]

NAVY DEPARTMENT,
Washington, D. C., March 21, 1878.

The following is hereby substituted, to take effect from this date, for the circular of October 25, 1877, in relation to the working hours at the several navy yards and shore stations:

The working hours will be, from March 21 to September 21, from 7 a. m. to 6 p. m.; from September 22 to March 20, from 7.40 a. m. to 4.30 p. m., with the usual intermission of one hour for dinner.

The department will contract for the labor of mechanics, foremen, leading men, and laborers on the basis of eight hours a day. All workmen electing to labor ten hours a day will receive a proportionate increase of their wages.

The commandant will notify the men employed, or to be employed, of these conditions, and they are at liberty to continue or accept employment under them or not.

R. W. THOMPSON,
Secretary of the Navy.

II. Said decedent while in the employ of the United States as aforesaid worked on the average 1,450½ hours in excess of eight hours a day, at the rate of \$5 per day.

III. If it is considered that eight hours constituted a day's work during the period from March 21, 1878, to September 22, 1882, under said Circular No. 8, then said decedent has been underpaid the sum of \$906.66.

IV. The claim herein was filed in this court in 1888 under No. 16321, general jurisdiction, and was dismissed in 1906, for want of prosecution, and no reason is given why said claim was not prosecuted to final judgment in this court.

Except as above stated, the claim was never presented to any officer or department of the Government prior to its presentation to Congress and reference to this court, as set forth in the statement of the case, and no evidence is adduced to show why said claimants did not earlier prosecute the claim.

CONCLUSION.

Upon the foregoing findings of fact the court concludes that the claim herein is not a legal one against the United States, and is equitable only in the sense that the United States received the benefit of the services of said decedent in excess of eight hours a day, as above set forth.

BY THE COURT.

Filed June 3, 1912.
A true copy.
Test this 13th day of June, 1912.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Mr. BRADLEY. I offer an amendment, to which the chairman of the committee has agreed.

Mr. CRAWFORD. It is a longevity claim, and is exactly similar to the others we have provided for in the bill.

The PRESIDING OFFICER. The amendment proposed by the Senator from Kentucky will be stated.

The SECRETARY. On page 261, after line 10, it is proposed to insert the following:

To William L. Marshall, of Washington, \$1,786.27.

The amendment was agreed to.

The PRESIDING OFFICER. The findings of the Court of Claims in the case will be printed in the RECORD.

The findings referred to are as follows:

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, May 31, 1912.

Sir: Pursuant to the order of the court, I transmit herewith a certified copy of the findings of fact filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883, known as the Bowman Act.

I am, very respectfully, yours,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

HON. CHAMP CLARK,
Speaker of the House of Representatives.

[Court of Claims of the United States. Congressional, No. 15589. William L. Marshall v. The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for longevity pay alleged to be due on account of the services of claimant in the United States Army was transmitted to the court by the Committee on War Claims of the House of Representatives on the 21st day of December, 1911, under the act of March 3, 1883, known as the Bowman Act.

The case was brought to a hearing on its merits on the 8th day of May, 1912.

Richard R. McMahon, Esq., appeared for the claimant, and the Attorney General, by George M. Anderson, Esq., his assistant and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States, residing in the city of Washington, District of Columbia.

That he served as an enlisted man in Company A, Tenth Kentucky Cavalry, from August 16, 1862, to September 17, 1863; that he entered the United States Military Academy as a cadet July 1, 1864.

That he was appointed brevet second lieutenant of Engineers June 15, 1868; was promoted to be second lieutenant February 22, 1869; first lieutenant June 21, 1871; captain June 18, 1882; major May 10, 1895; lieutenant colonel April 23, 1904; colonel August 27, 1907; brigadier general, Chief of Engineers, July 2, 1908; accepted July 6, 1908; and was retired June 11, 1910.

That during the period of the petitioner's service as a commissioned officer in the Army of the United States the following statutory provisions respecting longevity pay were in force:

"That every commissioned officer of the line or staff, exclusive of general officers, shall be entitled to receive one additional ration per diem for every five years he may have served or shall serve in the Army of the United States." (Act of July 5, 1838, sec. 15; 5 Stat. L., p. 258.)

"There shall be allowed and paid to each commissioned officer below the rank of brigadier general, including chaplains and others having assimilated rank or pay, 10 per cent of their current yearly pay for each term of five years' service." (Act of July 15, 1870, now sec. 1262, R. S.)

"* * * the actual time of service in the Army and Navy, or both, shall be allowed all officers in computing their pay." (Act of Feb. 24, 1881; 21 Stat. L., p. 346.)

That under a decision of the Second Comptroller of the Treasury, made July 24, 1838, the accounting officers of the Treasury, in the settlement of the petitioner's accounts, did not count his service at the Military Academy in computing his longevity pay and allowances for service prior to February 24, 1881.

That upon the construction of the act of July 5, 1838, by the Supreme Court of the United States, in the case of *United States v. Watson* (130 U. S., 80), the petitioner made application to the proper accounting officers of the Treasury for a settlement of his longevity pay and allowances in accordance with said decision, and, under the then prevailing ruling that service as a cadet could not be counted in computing longevity pay and allowances for service prior to February 24, 1881, petitioner's application was rejected December 13, 1890.

That upon the revocation of that ruling by the Comptroller of the Treasury on May 18, 1908, the petitioner again made application to the accounting officers of the Treasury for settlement of the longevity pay and allowances due him for service prior to February 24, 1881, but the Auditor for the War Department, October 21, 1909, refused to consider the petitioner's claim because it had been previously disallowed by the settlement of 1890.

That by this action of the accounting officers, in refusing to allow petitioner credit for his service at the Military Academy prior to February 24, 1881, there has been withheld from the petitioner the sum of \$1,795.49, the amount he would have received had he been dealt with according to law.

That this claim had not been paid, assigned, or transferred, in whole or in part, and that petitioner has all his life been loyal to the Government of the United States.

The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT.

I. The claimant herein, William L. Marshall, is a citizen of the United States, residing in the District of Columbia. He served as a private in the Tenth Kentucky Volunteer Cavalry from August 16, 1862, to September 17, 1863. He entered the United States Military Academy as a cadet July 1, 1864, and graduated therefrom and was appointed brevet second lieutenant of Engineers June 15, 1868. He was promoted to be second lieutenant February 22, 1869; first lieutenant June 21, 1871; captain June 15, 1882; major May 10, 1895; lieutenant colonel April 23, 1904; colonel August 27, 1907; brigadier general, Chief of Engineers, July 6, 1908; and was retired June 11, 1910.

He was paid his first longevity increase from June 15, 1873; second from June 15, 1878; third from May 14, 1882; and fourth longevity increase from November 1, 1884; and by settlements the accounting officers of the Treasury have allowed claimant longevity increase under the decisions of the Supreme Court in the cases of *Tyler* (105 U. S., 244) and *Morton* (112 U. S., 1), but said officers disallowed his claim for longevity increase under the *Watson* decision.

II. Under the decision of the Supreme Court in the case of *United States v. Watson* (130 U. S., 80) said claimant would be entitled to additional allowance, as reported by the Auditor for the War Department, amounting to \$1,786.27.

BY THE COURT.

Filed May 13, 1912.

A true copy.

Test this 29th day of May, 1912.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Mr. GALLINGER. I submit an amendment, it being a longevity claim. I also ask that the findings relating thereto may be printed in the RECORD.

Mr. CRAWFORD. There is no objection on the part of the committee to the amendment proposed by the Senator from New Hampshire. It is the same as the others.

The PRESIDING OFFICER. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 263, after line 5, it is proposed to insert the following:

To James W. Scully, of Atlanta, \$2,341.12.

The amendment was agreed to.

The PRESIDING OFFICER. The findings in the case will be printed in the RECORD.

The findings referred to are as follows:

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, May 31, 1912.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings of fact filed by the court in the aforesaid case, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883, known as the Bowman Act.

I am, very respectfully, yours,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

[Court of Claims of the United States. Congressional, No. 15326.
James W. Scully v. The United States.]

STATEMENT OF CASE.

This case was referred to the court by the Committee on War Claims of the House of Representatives on the 15th day of August, 1911, under the act of March 3, 1883, known as the Bowman Act.

The case was brought to a hearing on its merits on the 8th day of May, 1912.

Richard R. McMahon, Esq., appeared for the claimant, and the Attorney General, by George M. Anderson, Esq., his assistant and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States, residing in the city of Atlanta, in the State of Georgia.

That he served in the United States Army as an enlisted man from September 20, 1856, to September 20, 1861; was appointed first lieutenant and regimental quartermaster Tenth Tennessee Infantry July 14, 1862; lieutenant colonel August 21, 1863; colonel June 6, 1864; and was honorably mustered out of the volunteer service May 25, 1865; was appointed captain and assistant quartermaster in the Regular Army September 27, 1865, and accepted October 2, 1865; was appointed major and quartermaster January 25, 1883; lieutenant colonel and deputy quartermaster general September 12, 1894; colonel and assistant quartermaster general February 4, 1898; was retired November 1, 1900, after having been in the service more than 42 years, at his own request, and was given the rank of brigadier general, retired, April 23, 1904.

That during the period of petitioner's service as a commissioned officer in the Army of the United States the following statutory provisions respecting longevity pay were in force:

"That every commissioned officers of the line or staff, exclusive of general officers, shall be entitled to receive one additional ration per diem for every five years he may have served or shall serve in the Army of the United States." (Act of July 5, 1838, sec. 15; 5 Stat. L., p. 258.)

"There shall be allowed and paid to each commissioned officer below the rank of brigadier general, including chaplains and others having assimilated rank or pay, 10 per cent of their current yearly pay for each term of five years' service." (Act of July 15, 1870, now sec. 1262, R. S.)

"That on and after the passage of this act all officers of the Army of the United States who have served as officers in the volunteer forces during the War of the Rebellion, or as enlisted men in the armies of the United States, Regular or Volunteer, shall be and are hereby credited with the full time they may have served as such officers and as such enlisted men in computing their service for longevity pay and retirement." (Act of June 18, 1878, sec. 7; 20 Stat. L., p. 150.)

That in the settlement of petitioner's accounts the accounting officers of the Treasury did not count his service as an enlisted man from September 20, 1856, to September 20, 1861, in computing his longevity pay and allowances for services prior to June 18, 1878.

That under the decision of the Supreme Court of the United States in the case of *United States v. Tyler* (105 U. S., 244), petitioner was allowed the percentage increase upon his current pay, without counting petitioner's service as an enlisted man.

That upon the petitioner's application for the allowance of arrearages of longevity pay due him, the accounting officers, December 6, 1909, refused to consider his claim on the ground that the settlement under the *Tyler* decision was an adjudication of all his rights to longevity pay, under the ruling then in force that service as an enlisted man could not be counted in computing longevity pay prior to June 18, 1878.

That by this action of the accounting officers there has been withheld from the petitioner the sum of \$2,500, which is lawfully due.

That he petitioner was always loyal to the Government of the United States.

The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACT.

I. The claimant herein is an officer of the United States Army, having served as an enlisted man from September 20, 1856, to September 20, 1861. He was mustered in as a first lieutenant, Tenth Tennessee Infantry, July 14, 1862; promoted to be lieutenant colonel August 21, 1863; colonel June 6, 1864; and was mustered out June 6, 1865. He was appointed captain and assistant quartermaster of Volunteers September 25, 1865; accepted October 2, 1865, and the position was vacated on same date. He was appointed captain and acting quartermaster, United States Army, September 27, 1865; accepted his commission October 2, 1865; was appointed major, quartermaster, January 25, 1883; lieutenant colonel, Deputy Quartermaster General, September 12, 1894; colonel and Acting Quartermaster General, February 4, 1898; and was retired November 1, 1900.

II. Claimant was paid his first longevity ration from November 9, 1867, and 10 per cent increase for each five years subsequent thereto. By settlement with the accounting officers he was allowed longevity increase under the *Tyler* decision (105 U. S., 244), and his claim for longevity increase on account of service as an enlisted man was disallowed December 9, 1909.

III. Under the decision of this court in the case of *James Stewart v. The United States*, No. 20810, decided February 23, 1899, from which no appeal was taken, service as an enlisted man should be counted in computing longevity pay and allowances, and the difference between the amounts actually paid to claimant on account of longevity pay and the amount to which he would be entitled under said decision, as reported by the Auditor for the War Department, is \$2,341.12.

BY THE COURT.

Filed May 20, 1912.

A true copy.

Test this 29th day of May, 1912.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

The PRESIDING OFFICER. Are there further amendments?

Mr. CRAWFORD. The committee has nothing further to offer.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. CATRON. I wish to ask the Senate to consider three amendments separately. They are on page 66, under the head of "New Mexico."

The PRESIDING OFFICER. Those amendments will then be reserved for separate consideration. The question now is, Will the Senate concur in the other amendments made as in Committee of the Whole? Without objection, the other amendments will be concurred in. The bill is still in the Senate and open to amendment.

Mr. CATRON. Mr. President, I object to the amendments of the committee striking out the provisions of the bill found under the head of "New Mexico," on page 66. There are three of them. I will take them up in the order in which they appear. I do not know whether we can vote on them separately.

Mr. CRAWFORD. We might as well act on them all together.

Mr. CATRON. Mr. President, the first amendment to which I desire to refer is the claim of Anastacio de Baca for pay for a number of sheep, which were stolen from Francisco de Baca in the year 1862 by the Navajo Indians. Immediately after those sheep were stolen by the Navajo Indians Baca reported the occurrence to the then governor of New Mexico, Gov. Connelly. Gov. Connelly immediately sent word to the commanding officer at Fort Craig, on the Rio Grande. As this Indian depredation took place on the east side of the Canadian River and the Navajo Indians lived on the west side, supposing, naturally, that they would carry the sheep back, he sent word to Fort Craig, which is on the Rio Grande, and asked the commanding officer to look out for them. He did so, and his command captured or took away from the Indians 1,500 of these sheep, 2 donkeys or burros, and 1 mule. The commanding officer, after taking them away from the Indians, turned over 500 of these sheep to some Mexicans who were with them, not connected at all with the owner, and let them take the sheep away for their own use. The other thousand sheep were turned over to the commissary at Fort Craig. They were taken up by him on his property returns, and they were killed and issued to the soldiers as a part of their rations. The governor of New Mexico, at the request of Mr. Baca, asked Gen. Carleton, who was then commanding in New Mexico, to have the sheep returned to their owner, but nothing was ever done about it. Afterwards, in the year 1871, the Delegate in Congress from New Mexico, Col. Chaves, called the attention of the Commissary General to the fact that these sheep had been taken and applied to the Government's own use, and asked that the sheep be accounted for and paid for, but the Commissary Department did nothing in reference to it.

The matter remained in this condition under consideration from 1871 to 1876, when the Commissary General, who took the report from the Army officer who had taken the sheep and used them, concluded that the proofs did not satisfy him that the sheep were the property of the claimant, nor that the claimant was thoroughly loyal to the Government of the United States during the Civil War. The claimant, when asked to prove that they were his sheep, presented his certified brand or certified mark, and it was identified. So there was no trouble about that. Subsequently he established his ownership of the sheep and also established his loyalty.

The matter thus remained until 1886, when the papers were transmitted to the Third Auditor of the Treasury, "not recommended for settlement." On June 17, 1886, the accounting officer of the Treasury refused to take jurisdiction over the matter. In February, 1900, the case was referred to the Court of Claims under the Bowman Act for findings of fact. The Court of Claims found that the sheep had been taken and used by the Government and that the claimant was loyal. They found first that the value of the sheep was \$325, but, as that was evidently a mistake, on reconsideration they found the value of the property taken to be \$1,325.

This claim is, without doubt, as valid a claim as any that can be made. It has been rejected by the committee on the ground that the party slept on his rights for 38 years. The Government had notice of the claim right from the start, and it was kept before the Government. This man had no opportunity to present his claim before any tribunal until the passage of the Bowman Act. When the Bowman Act passed the claim was referred to the Court of Claims, proof was taken, the findings were in his favor, and the value of the property used was ascertained to be \$1,325. I ask that the amendment striking out that claim be not concurred in.

The next claim is that of Col. Edward H. Bergmann, who claims \$1,200 on account of money he expended in getting clothing for a company of troops of which he was captain during the Civil War.

It appears from the testimony and the facts in the case that Col. Bergmann was a Prussian by birth, and that when Gen. McClellan and several other officers went over to Europe to observe and inspect the armies of Europe to ascertain how they

were managed and handled, for the purpose of improving the condition of our own Army, they came in contact with Bergmann and invited him to come over to the United States, promising that he might get a commission in the United States Army. Bergmann came over, but instead of getting a commission he enlisted in the Regular Army of the United States. When the Civil War broke out Bergmann was in New Mexico. There he raised a company of Volunteers, of which he was made captain, the company forming a part of Kit Carson's regiment. This was in 1862. His company had no clothing; there was at that time no clothing in New Mexico that could be issued to them, and they were in a ragged and destitute condition. In this situation Col. Bergmann, having some money of his own, expended \$1,200 to buy clothing for these men. It was bought by him, given to the soldiers, and used in the service of the United States to clothe its troops. Being a very loyal and very patriotic man and getting his salary, and being a foreigner and not understanding our laws, he did not think of putting in his claim for the amount until sometime after the war closed. Then he had become impecunious. His attention was called to the fact that he had advanced this money, and he then put in his claim for the amount of \$1,200, which he had previously paid for this clothing, of which, as I have said, the United States got the benefit for its soldiers.

The claim was not allowed. Afterwards, under the Bowman Act, it was referred to the Court of Claims. The Court of Claims found the facts to be as I have stated them—that he had paid the money and that it had never been paid back to him. Col. Bergmann had no earlier opportunity to put in his claim before any tribunal, although if he had thought about it he might have presented it to some accounting officer; but he took no action until 1890, when the claim was referred to the Court of Claims.

When his case was referred to the Court of Claims he immediately applied to the Assistant Attorney General to designate an attorney to take the proof in his case. The Assistant Attorney General intimated that the attorney whom they wanted was busy and they could not get him, but he would try to get a special attorney. A partial arrangement was then made to get a Mr. M. W. Mills, of Springer, N. Mex. Mr. Mills agreed to accept the appointment, but they never referred the case to him. The matter continued along until 1902, when the Government made arrangements to take the testimony and designated an attorney to appear. On a presentation of the case, the court found, as I have stated, that Col. Bergmann advanced this money; that the soldiers used the clothing; that the Government got the benefit of it in the actual service of the Government during the war; and that money had never been refunded.

The next claim—there are three of them, as I have stated—is that of Mary W. Littell, widow of William J. Littell. This is a claim in which the Senator from Kentucky might be interested. It seems that a regiment was organized in Kentucky during the Civil War, but the company did not reach a sufficient number of men to entitle it to the necessary lieutenants, and they had no lieutenant. Littell was first sergeant of the company. The governor of Kentucky, however, commissioned him as a lieutenant. I do not know what the law was at that time as to the appointment of lieutenants, as I was not on that side of the question; but Littell continued with the company until it was discharged and performed in every respect all the duties of a second lieutenant, although he only drew pay as first sergeant of the company and also drew rations. The Court of Claims has found these facts, and stated that if Littell could be considered a lieutenant, as he had been commissioned by the governor of Kentucky, the amount of his claim was \$632.18, after deducting what he received as first sergeant and the value of his rations. I do not know so much about this claim as I do of the previous ones, but the Court of Claims found that Littell did this service; that he performed the duties of a first lieutenant, but only drew the pay of a sergeant and the rations of a sergeant; and that his pay would amount to \$632.18 if he was considered as a lieutenant.

I ask that the amendments of the committee striking out these items of the bill be not concurred in.

Mr. CRAWFORD. Mr. President, the statement made by the Senator from New Mexico [Mr. CATRON] is very similar to the statements which are presented in most of these cases; that is, it comes from some attorney. I would not say specifically that it is true in the case which the Senator presents, but a similarity in the reasons given leads me to believe that some attorney, representing the claimants, has furnished this kind of information to the Senator. I have not the slightest doubt of the Senator's good faith in regard to the matter. The Bowman Act, under which the Senator seems to think he is justified in saying that laches can be waived, was passed in 1883. That is 29

years ago. The Tucker Act, which required the court to find what excuse the claimant had, if any, for his long delay, was passed in 1887, 25 years ago; and no excuse whatever is found by the Court of Claims in its report to explain the long delay in either of these cases.

That is not all. In the de Baca case claim is made on account of the loss of sheep in 1862. At a time when the claimant must have had in his possession fresh proof of the facts, and when witnesses must have been alive by whom he could establish his loyalty, he undertook to establish his claim, but the Government found against him on both propositions, finding that he did not prove the fact as to his loss and that he was unable to satisfy them as to his loyalty. While the Bowman Act was passed in 1883 and the Tucker Act in 1887, he did not ask to go to the Court of Claims until the year 1900, and in 1905 he secured in some way from it a finding of his loyalty. If that does not show a doubtful situation, under which it would be rather reckless for us to pay stale claims, it would be impossible to present one here.

The case of Bergmann, so far as concern laches and delays, is exactly in the same class. If we were to allow these claims to come in here now, it would open the door so that practically all of the items rejected by the Committee on Claims would be placed in the bill.

The third item is one of difference-in-pay claims, where an officer in the Army during the war was serving in a certain rank—he may have been captain, or he may have been major, or he may have been colonel—but his State gave him a rank higher than that held under the Federal Government. There may have been a vacancy ahead of him, into which he stepped and performed the service in a rank higher than that for which he held a commission from the Federal Government; but if his command was under the minimum, a law was passed—I have all the laws here—which allowed officers serving in a higher rank than that to which they were commissioned by the Federal Government under those circumstances to receive the pay of the higher rank, providing their command was not below the minimum.

In the last Congress a statute was passed absolutely barring all these claims, and it is sought, by putting them in the omnibus claims bill, to repeal that statute which fixed an absolute bar against these claims.

Mr. CATRON. I should like to ask the Senator if he thinks a statute passed a year ago, or at the last Congress, would apply to a claim which had originated a year before that statute was passed?

Mr. CRAWFORD. I do not; but these claims never had any foundation under the laws of the United States; absolutely none. The act of February 24, 1897, contained a proviso that—

That this act shall be construed to apply only to those cases where the commission bears date prior to June 20, 1863, or after that date when the commands of the persons appointed or commissioned were not below the minimum number required by then existing laws and regulations.

In every one of these cases the court finds that the commission was dated after June 20, 1863, and the command was below the minimum. There are about a hundred-odd of these claims, and the committee did not propose to go against that statute passed at the time and the statutes passed since that time, one of them in 1897, which put up a bar to these claims.

I ask that the claim be rejected.

Mr. CATRON. Just one word. The fact that this might open all the other claims is no argument at all. I know nothing about what the other claims are, but if they are as meritorious as these, I think they ought to be paid and ought to be included. If they are not, then each one stands upon its own footing. It seems to me this record shows a sufficient vigilance on the part of these first two claimants, and I ask that the first two claims be voted on separately from the others, because they are different—the Anastacio Baca and the Bergmann claim.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole, proposing to strike out two New Mexico items, on page 66, lines 5 to 9.

The amendment was concurred in.

The PRESIDING OFFICER. The question is now upon concurring in the amendment to strike out lines 10, 11, and 12, on the same page.

The amendment was concurred in.

The PRESIDING OFFICER. The question is on concurring in the remaining amendments made as in Committee of the Whole.

The amendments were concurred in.

The PRESIDING OFFICER. The bill is still in the Senate and open to amendment.

Mr. BRADLEY. I rise to make an inquiry.

The PRESIDING OFFICER. The Senator from Kentucky will state it.

Mr. BRADLEY. On the 7th of December, in my absence from this body, the Senator from Tennessee [Mr. SANDERS] was kind enough to offer an amendment to this bill. I should like to inquire what disposition has been made of that amendment?

The PRESIDING OFFICER. Can the Senator state upon what page of the bill the amendment appears?

Mr. CRAWFORD. What was it?

Mr. BRADLEY. It was:

To the wardens of Christ Protestant Episcopal Church, Bowling Green, \$300.

Mr. CRAWFORD. That was rejected.

Mr. BRADLEY. I simply wanted to know what became of it. I suspected that it had been rejected.

The PRESIDING OFFICER. Does the Senator from Kentucky desire to offer an amendment?

Mr. BRADLEY. I did; but I understand it was rejected by the committee, and I do not deem it worth while to offer the amendment now.

The amendments were ordered to be engrossed and the bill read the third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. CRAWFORD. Mr. President, just a word or two before the bill is finally disposed of. I desire to call attention to some of the items rejected by the committee that the Senate may form some idea about the character of a considerable number of claims that were in this bill when it came to the Senate.

Here is a sample. I call attention to paragraph 560. I do this because we may have something to do about this bill in some form after it has gone to conference. Here is an item in this bill for a chuck-a-luck gambler, a man following the rear of the Union Army in the South—a professional gambler. He comes in here in 1906 with a claim for some money lost in chuck-a-luck, and which he claims was not all gambling funds, but that part of it was money that was not won from him in chuck-a-luck but was taken from him by the commanding officer. He comes in and asks for an appropriation out of the Treasury to give him back his money. An inquiry was had in 1865 under the order of Gen. Hazen, and the claimant was required to present proofs that the money taken from him was not the fruits of gambling. The court, after considering the evidence, recommended that \$376 be refunded and that the remaining \$454 be forfeited, as coming within the instructions of Gen. Hazen for the confiscation of the proceeds of chuck-a-luck. The forfeited sum of \$454 was disbursed by the commander of the division and not returned to the Treasury Department. None of the \$860 has ever been returned to claimant. Claimant allowed his claim to sleep until 1891, for a period of 27 years, when he presented a claim to the Auditor for the War Department, and it was rejected. Then he came in here 42 years afterwards, without having peeped all that time during the interim, and asks the Congress of the United States to engage itself in the business of giving him back that fund. None of it ever went into the Treasury of the United States. That is one item in here.

I will call the attention of the Senate to one or two others. Here is paragraph 599. Five hundred and ninety-nine is an item that has long since been paid and satisfied. Ten thousand five hundred and twenty dollars was claimed. The money was appropriated in an appropriation act approved March 3, 1877, Nineteenth Statutes of the United States, page 538. The money was paid and the claim released and receipted for, and yet here is inserted a claim in the omnibus claims bill, as it comes over to the Senate, with that \$10,000 item in it to be paid over again.

Here is another one—paragraph 737 in this bill. Seven hundred and thirty-seven is the claim of Henry E. Hilliard. It was absolutely paid and satisfied by an appropriation found in Thirty-third Statutes, part 1, page 768.

Here is an old claim, originating way back during the war, in which the claimant has slept on his rights for over a generation, and then comes here and asks money for hay which he claims he delivered to a commissary, and he wants pay at the rate of \$55 a ton.

How such things get through I do not understand.

Here is a hotel company down in Memphis called the Overton Hotel Co. The claim is that the property was occupied by soldiers during the war. We all know what were the conditions in Memphis. You could not rent buildings for any considerable amount under the conditions that existed there. Several years ago that company got a bill through here appropriating, as I understand, some \$53,000, took the money and released the claim. And yet they get inserted in the bill an item calling for the appropriation of \$12,000 or \$15,000, or more, because an

attorney claims that some sort of technical error was committed in making the computation.

On the matter of proof of loyalty—and I will stop with this case—I want to call the attention of the Senate to one claim, paragraph 800, which is typical of many of the claims we have stricken from this bill. In this particular case property was taken from the administrator, N. C. Perkins, during the War of the Rebellion, in Shelby County, in the State of Tennessee, by the military forces of the United States for the use of the Army—stores and supplies worth the sum of \$5,684. It does not appear from the statement of facts whether the property was taken by any authority of the Government at all. The plantation from which the stores were taken, it was claimed, belonged to J. J. Todd at the commencement of the war, but he died in 1861, leaving by will his property to his daughter, Mrs. Newton C. Perkins. She is the wife of the administrator, N. C. Perkins, who makes this claim, and he was a captain in the Confederate Army. Understand that under the statute these claims can not be allowed unless loyalty is proven. Her husband, who appears here as administrator, was a captain in the Confederate Army. He was appointed administrator of the estate of his wife's father in 1862, and then he resigned his commission and came home to take charge of that estate—right out of the Confederate Army. I dare say Mrs. Perkins is a good woman; I would not say a word disrespectful about her, but this is what the court finds as to her loyalty:

Mrs. Perkins desired her husband to keep out of the Confederate service; she did not desire to take up arms; she did not wish him to join either army; after the war actually began she did not desire the subjugation of the South, and she did not wish for the defeat of the Confederacy to secure the perpetuity of the Union.

Now, with that sort of a straddle on the question of loyalty, and with the administrator himself having been an officer in the Confederate Army, thereafter, in 1900, a finding is made upon which an appropriation claim of that character is made.

Having thus characterized in a general way the items stricken out of the bill, I ask for the action of the Senate upon the bill.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was passed.

Mr. NEWLANDS subsequently said: The omnibus claims bill was passed this morning during my absence from the Senate. I had pending before the Senate an important amendment involving the claims for extra pay of mechanics and laborers on public buildings, and it was my expectation to bring that matter before the Senate for its consideration. I have seen the Senator from South Dakota [Mr. CRAWFORD], who had charge of the bill, and he informs me that he will have no objection to a motion for a reconsideration of the bill in order to enable the Senate to consider the amendment which I tendered.

I therefore ask that the vote by which the bill was passed be reconsidered and that the bill stand on the calendar for consideration.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Nevada to the fact that the Senator from South Dakota, the chairman of the committee, is not present.

Mr. NEWLANDS. I consulted with the Senator from South Dakota about 15 minutes ago and he told me he would have no objection. I have sent word asking him to be here, but he is not here.

Mr. CLARKE of Arkansas. Mr. President, I would not assume to act instead of the chairman of the committee, the Senator from South Dakota, nor do I in the slightest degree desire to indicate any doubt about the statement made by the Senator from Nevada; but after the motion indicated by him has been made and considered there will be other motions made, and they should be made at once, so as not to delay the passage of the bill beyond to-day. If it would be agreeable to the Senator from Nevada to renew his motion at a somewhat later hour, we will undertake to have the Senator from South Dakota here, so that the whole matter may be disposed of.

Mr. NEWLANDS. It is entirely agreeable to me, Mr. President, that the action be had to-day.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Utah?

Mr. NEWLANDS. I have made my motion to reconsider the vote by which the omnibus claims bill was passed.

Mr. SMOOT. That is what I was going to suggest to the Senator from Nevada, to enter the motion, and then if it so happens that we can not act on the motion to-day, it will be pending.

Mr. CULBERSON (to Mr. NEWLANDS). Make the motion now.

Mr. NEWLANDS. I make the motion now.

Mr. CULBERSON. I understand that the Senator from Nevada makes the motion now to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The motion will be entered.

Mr. CULBERSON. And it will be passed over for the future consideration of the Senate.

The PRESIDING OFFICER. The motion has been entered. The bill will be held here.

LANDS IN PENSACOLA, FLA.

Mr. SMITH of Georgia obtained the floor.

Mr. FLETCHER. Mr. President—

Mr. SMITH of Georgia. If, without losing my position in the premises, I can yield for a moment to the Senator from Florida, who desires to call up two local bills, I shall be glad to do so, although I can not afford to lose my place.

Mr. FLETCHER. It will take only a moment.

Mr. SMITH of Georgia. I yield, if I can, under the circumstances indicated.

Mr. FLETCHER. I desire to call up two bills, being Orders of Business 961 and 962, releasing the claims of the United States Government to certain lands in the city of Pensacola, Fla.

Mr. SMITH of Georgia. I yield for that purpose, if I may.

Mr. FLETCHER. I ask unanimous consent for the present consideration of the bill (S. 5378) releasing the claim of the United States Government to that portion of land, being a fractional block, bounded on the north and east by Bayou Cadet, on the west by Cevallos Street, and on the south by Intendencia Street, in the old city of Pensacola.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FLETCHER. I now ask unanimous consent for the present consideration of the bill (S. 5377) releasing the claim of the United States Government to lot No. 306 in the old city of Pensacola. It is a bill of the same kind as the one just passed.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRACTICE OF PHARMACY AND SALE OF POISONS.

Mr. GALLINGER. I ask for the consideration of the bill (H. R. 8619) to amend an act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and to insert:

That "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906, be amended by adding after section 11 thereof a new section to be known as "section 11a," and to read as follows:

"Sec. 11a. That nothing contained in this act shall apply to sales at wholesale by any dental supply depot, carrying only a general stock of dental supplies, without being required to have a licensed pharmacist employed therein or connected therewith, to lawfully authorized practitioners of dentistry or medicine, for personal use in the practice of their profession, or to incorporated dental or medical colleges, for use therein, or to incorporated hospitals, for use therein, all drugs, chemicals and poisons used in the legitimate practice of dentistry: *Provided, however,* That no such dental supply depot shall so sell at wholesale any such drugs, chemicals, or poisons except upon the original written order of a lawfully authorized practitioner of dentistry or medicine, which order shall be dated and shall disclose the full name and address of such practitioner, and whether the articles ordered are for his personal professional use and account, or for the account, and use therein, of such college or hospital, and all such original orders shall, for a period of three years, be retained on file by the dental supply depot selling or furnishing the drugs, chemicals, or poisons specified therein. No proprietor, officer, agent, or employee of any dental supply depot shall sell or furnish any such drugs, chemicals, or poisons otherwise than as in this section provided, and no practitioner of dentistry or medicine shall purchase or obtain from any dental supply depot any such drugs, chemicals, or poisons otherwise than as in this section provided, or for any other purpose than as in this section permitted."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

COLVILLE INDIAN RESERVATION LANDS.

Mr. JONES. I ask unanimous consent for the present consideration of the bill (S. 5379) granting certain lands of the diminished Colville Indian Reservation, in the State of Wash-

ington, to the Washington Historical Society. This is purely a local bill.

Mr. SMOOT. I shall not object to the consideration of this bill, but I give notice that I shall object to the consideration of any further bills this morning by unanimous consent.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and to insert:

That the Secretary of the Interior be, and he is hereby, authorized to patent to the Washington State Historical Society, for memorial and park purposes, the following-described lands in the diminished Colville Indian Reservation, in the State of Washington, to wit: A tract of land not exceeding 4 acres in area located in the northwest corner of lot 2 of section 17, the precise description of said tract to be determined by said Washington Historical Society and the Secretary of the Interior prior to the issuance of the patent therefor, and lot 7, containing 20.90 acres of section 21, all in township 30 north, range 25 east of the Willamette meridian in Washington; *Provided*, That the lands hereby granted shall be paid for by the said society at their appraised value, to be ascertained in such manner as the Secretary of the Interior may prescribe, and the proceeds thereof placed in the Treasury of the United States to the credit of the Indians belonging on the reservation of which the lands herein described are a part and thereafter paid to the said Indians or used for their benefit in such manner as the Secretary of the Interior may deem for their best interests; *Provided further*, That the lands hereby granted shall be subject for a period of 25 years to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AGRICULTURAL EXTENSION DEPARTMENTS.

Mr. SMITH of Georgia. I move that the Senate take up for consideration the bill (H. R. 22871) to establish agricultural extension departments in connection with agricultural colleges in the several States receiving the benefits of an act of Congress, approved July 2, 1862, and of acts supplementary thereto.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment.

The PRESIDING OFFICER. The amendment of the committee will be read.

The SECRETARY. In section 6, page 5, line 14, strike out the words "duly appointed by the governing boards of said colleges" and insert "of the State, duly authorized by the laws of the State," so as to make the section read:

SEC. 6. That the sums hereby appropriated for extension work shall be annually paid in equal semiannual payments on the 1st of January and July of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer of the State, duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture, on or before the 1st day of September of each year, a detailed statement of the amount so received during the previous fiscal year, and of its disbursement, on forms prescribed by the Secretary of Agriculture.

Mr. SMITH of Georgia. That is a mere verbal change to make the language perfectly accurate.

The amendment was agreed to.

Mr. SMITH of Georgia. I now send to the Secretary's desk the report made by the Committee on Agriculture and Forestry on this bill, which I would be glad to have read.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary read the report submitted by Mr. SMITH of Georgia December 14, 1912, as follows:

[Senate Report No. 1072, Sixty-second Congress, third session.]

ESTABLISHMENT OF AGRICULTURAL EXTENSION DEPARTMENTS.

Mr. SMITH of Georgia, from the Committee on Agriculture and Forestry, submitted the following report, to accompany H. R. 22871:

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 22871) to establish agricultural extension departments in connection with agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, having considered the same, beg to report it back to the Senate with one amendment and with the recommendation that the bill as amended do pass.

The object of the bill is to make provision for the establishment of extension departments in the land-grant agricultural colleges of each State and to carry to the farmers at their homes the knowledge gathered at the agricultural colleges and experiment stations.

Fifty years ago the Morrill Act became a law, and by aid from the appropriation which it made colleges of agriculture are now successfully conducted in every State.

Twenty-five years ago the Hatch bill became a law, and by aid from the appropriations which it made agricultural experiment stations are now successfully conducted in every State. Other legislation has also been enacted since the Morrill and Hatch Acts of further aid to the colleges and experiment stations.

The Morrill Act provides for the endowment and support of colleges, the leading object of which shall be "to teach such branches of learning as are related to agriculture and the mechanic arts." The Hatch Act provides for agricultural experiment stations where by investigation and experiment accurate knowledge is obtained upon farm problems.

The experiment stations were essential to proper instructions in the colleges. In most of the States these colleges and experiment stations have for years worked in close association. They have conducted investigations and made tests bearing upon many important questions connected with the farm, and their investigations and tests have been especially with reference to conditions in their respective States. They have studied plants and determined with accuracy the foods upon which they live and mature crops. They have analyzed different classes of soil in their respective States to determine the plant food contained and have learned how to make it available. They have ascertained defects of soils and how to remove them. They have worked out the improvement of seeds and have found the way to resist many plant diseases. They have tested stock, cattle, and hog foods and diseases. They have found what foods will bring the best results and have advanced in the treatment of diseases.

I do not claim that the knowledge which has been obtained is absolutely accurate in all lines, but I insist that they have learned many things of great value to those engaged upon farms; and their officers are as a rule able and capable men, practical as well as scientific, and devoted to their work.

These institutions are now engaged in their best work and will continue to demonstrate new truths which would be most helpful if understood and used in the daily work of the farm.

There are students at these colleges who are obtaining much aid from the instructions which they receive, but there is not sufficient provision to carry to the farmers at their homes the valuable information which has been and will be obtained by the work of the colleges and experiment stations.

The last census shows that the rural population of the 48 States was 49,384,882. The majority of our population is engaged in agricultural pursuits. It is my urgent plea that they should receive as speedily as possible the help which the successful use of all that has been learned and may yet be learned at the agricultural colleges and experiment stations would be to them.

The National Government has spent on the agricultural colleges and experiment stations, in round figures, \$70,000,000. It spends now \$3,940,000 cash annually upon them. From State appropriations and other sources they receive annually \$11,000,000. A large part, however, of this last-named amount is required for new buildings and equipment required to meet the growing demands upon the colleges.

For the year ended June 30, 1912, Congress appropriated \$15,000,000 for carrying on the exclusively agricultural work of the Department of Agriculture. Much the larger portion of this money is spent for investigation and experimentation. Information of great value to the rural interests of the country is secured, but a comparatively small amount is devoted to showing those at work upon farms how to apply this information.

Dr. True, Director of the Office of Experiment Stations, has stated: "Heretofore interest in the agricultural development has largely been in the direction of securing new truths. A vast amount of valuable information is now in existence awaiting some effective means of getting it into operation by the farming people of the United States. It has been found that the mere publication of results in the bulletins and pamphlets is not sufficient, and that there is much even that these publications do not contain and can not be taught by them."

"The agricultural colleges were created and organized chiefly for the benefit of agriculture. They have devoted themselves to perfecting their organization and courses of study for the education of their students and by means of experiment stations to the investigation and discovery of agricultural truths. Recently there have arisen demands upon these institutions for information and assistance outside of their classrooms by persons engaged in agriculture unable to attend these colleges as students. These demands became so insistent that at the meeting of the Association of Agricultural Colleges and Experiment Stations held at Portland, Oreg., in 1909, the association by formal action changed its constitution by recognizing the obligation of the colleges to the rural people outside of their halls as equal to the obligation of resident students and their work of research. Forty-five colleges, representing 43 States, were conducting extension work during the college year which closed June 30, 1911, but their work was limited by lack of sufficient funds."

We are confronted, therefore, with the fact that the National Government has spent, and is spending, large sums of money upon the agricultural colleges and the experiment stations. The money so spent has aroused interest in the States, and they are appropriating to this work sums in excess of those appropriated by the National Government, but the inspiration for the work and the leadership in the work came from the national appropriation. These institutions are doing good, but much that they might do fails of accomplishment because there is no organized machinery, backed by necessary funds, to carry the information they gather to those actually engaged in agricultural pursuits.

The agricultural colleges, agencies in a sense of the National Government, are ready for immediate service at the home of the farmer. They are ready to furnish the information they have acquired to all upon the farms instead of to a few at the colleges. The bill which has passed the House is intended to enable them to increase their extension work at once and develop it in time upon a broad scale.

It is of vital importance to carry promptly to the farmers the knowledge acquired at these institutions.

A number of bills have been introduced during the past few years intended to accomplish this result. Last fall the executive committee of the State Agricultural Colleges and Experiment Stations, officers of the National Soil Fertility League, and representatives of the Agricultural Department prepared a bill, which was introduced in the Senate on the 16th day of January and in the House of Representatives on the 17th day of the same month. The House of Representatives has passed this bill with only two important amendments. One requires that 75 per cent of the money appropriated shall be used in actual demonstration work and the other provides that this bill shall not interfere with the demonstration work now being done by the Agricultural Department.

Many State legislatures will meet in January, and the passage of the House bill by the Senate at the earliest day possible is necessary to give them an opportunity to act.

The bill provides for the establishment and maintenance in each of the land-grant colleges of agriculture of an extension department to give instruction in agriculture and home economics to farmers at their homes.

This instruction is to be given by demonstration work and other means in the local farm communities.

It provides for a fixed appropriation from the Treasury of \$10,000 unconditionally to each State. It provides also an appropriation be-

ginning with \$300,000 a year, July 1, 1913, to be prorated among the States on a basis of rural population. This appropriation is to be increased each year \$300,000 until the maximum of \$3,000,000 is reached in 1923. No State is to receive a pro-rata of this sum unless it provides an equal amount for the same purpose. The money is to be expended by the State colleges of agriculture through their extension departments in each State. Seventy-five per cent of the money must be used in actual field demonstration; 5 per cent may be used for printing and publications, and the remaining 20 per cent for instructions in household economics or for further field demonstrations. The bill provides that any Federal money lost or misused must be made good by the State, and it prohibits the use of the money for purposes except those specified. It provides for reports from the colleges to the Secretary of Agriculture, and through the Secretary of Agriculture to Congress.

The bill permits the purchase of no land by the Government. The representatives of the colleges in the various communities in each county in each State will enlist farmers, who, under the direction of the representative of the agricultural college, will test the value on their own land of the information brought by the representative of the agricultural college. The farmer will be invited to plant under the direction of the representative of the college. The character of the soil will be tested, the nature of the fertilizer to be used explained, the selection of seed advised, and the time of planting and manner of cultivation suggested, and demonstrations will be made which will teach and prove the value of the knowledge acquired at the colleges and stations. In another place the representative of the college will teach and by experimentation demonstrate the best manner for caring for fruit trees. In another, the best system for feeding cattle and stock and of dairying and butter making may be the subject of the demonstration.

Demonstrations will also be made in home economics and labor-saving machines.

The colleges of agriculture and the experiment stations in each State have devoted themselves to the study of the peculiar conditions of their State and the localities of their State and will, through their representatives, carry to the farmer in his home the accurate information which experimentation has demonstrated and in turn give a practical demonstration in the locality before the farmer and his neighbors of the value of the information acquired and how to use it. This class of work will be supplemented by printed discussions of the best mode of farming, of hygiene, and of household economics, and the means available will be used to give those on the farm all that research can develop which will be of service to them.

The value of such instruction is not a matter of experiment. It has been tried in other countries, as well as to a limited extent in our own. A number of European countries for the past 25 years have been carrying the information gathered in their colleges and experiment stations to the homes of the farmers. Detailed information as to how the extension departments in other countries have been conducted and the beneficial results from them has been gathered by the National Director of the Office of Experiment Stations.

We have selected Belgium as an example and have examined the statistics prepared by the Department of Agriculture showing the effect there of agricultural extension work upon the lines proposed for our country by the bill under consideration. They disclose an average increase of production per acre in 20 years of 30 per cent. They also disclose a lessened cost of production per acre, and this splendid accomplishment is attributed to the information and instruction carried to the farmers by agricultural extension work.

The testimony before the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture furnishes convincing proof of the great benefits which have been accomplished by the limited work upon this line already carried on by the agencies created principally through congressional action.

Dr. Russell, dean of the college of agriculture of the University of Wisconsin, pointed out its value in the improvement of cattle and dairying in Wisconsin. Among other things, Dr. Russell said:

"The extension work is designated generally to take that work right to the man on the field, and it seems to me the advantageous feature of this bill is that it leaves it to the discretion of the agricultural college to organize this work along those lines that are going to be most effective for the community concerned."

He also pointed out a development of corn seed which in a portion of Wisconsin had enabled an increase of production per acre of over 50 bushels. He dwelt upon the necessity for soil diagnosis, and how at one point more phosphate was needed and at another more nitrogen and another more potash, and how for various crops portions of those necessary plant foods could be supplied and at other places other ingredients could be locally found, and he urged the importance of carrying accurate information upon this subject to the farmer at home, and he showed the work he was doing endeavoring to give such information to the farmers of Wisconsin.

Dr. Russell relates this incident, told him by Dr. Hopkins, of Illinois:

"Dr. Hopkins had demonstrated in southern Illinois what could be done with a dollar and a half's worth of phosphate to soil that needed this plant food. The average yield of corn in that locality was about 13 bushels. Dr. Hopkins demonstrated that with a little phosphorus and brains the yield could be increased fourfold. An old man came up with tears in his eyes and said: 'Dr. Hopkins, I want to thank you for what I have seen to-day; but, God help me, if I only knew that 40 years ago.' He said, 'I have six sons in my family and have labored night and day to keep body and breeches together and to keep the family together, and what have I got on my farm? Twelve to 15 or 16 bushels of corn to an acre—that's all I can make. I would have liked to send my boys to college. I would have liked to give those children an education; but I could not raise enough crop on the piece of land that I owned, so I have toiled all my life and have earned barely enough to support my family. Now, if a man had only come to me when I was comparatively young and told me the things you have told me to-day—that one dollar and a half's worth of phosphate would have given me 50 bushels of corn like the crop which was raised right over the fence from where I am—I could have sent my children to the high school and to a university.'"

Dr. Soule, of Georgia, discussed the subject along the same lines, and pointed out how corn and cotton production had been increased in various parts of the State nearly 100 per cent by the application of the knowledge developed in the State College of Agriculture and Experiment Station. He called attention to the different varieties of soil even in Georgia and the different character of plant foods contained in the different soils of the State. Among other things, he said:

"I have told you of the variations of our soil in Georgia. How can we direct this thing from a centralized position? It is impossible to do it. There is not a man not familiar with the agricultural conditions

of California who would attempt to advise the farmers of that State. It is not possible to send out information and literature from Washington that will meet the needs of the farmers in Georgia, as well as in all the other States. We must conduct this as a localized proposition, studying and teaching through the agricultural colleges."

Dr. W. D. Gibbs, president of the New Hampshire College of Agriculture and Mechanic Arts, gave an illustration of the benefit of agricultural-extension work of the kind that this bill contemplates through a young man who studied at the College of Agriculture of New Hampshire. He said:

"This old orchard was full of San Jose scale, and was an unproductive orchard, producing mediocre fruit in small quantity. The father had made his living by selling milk 8 miles away. This young man went to work on the orchard and pruned it and sprayed it and cared for it in other ways, and to-day they have one of the best apple orchards in New England. Instead of producing 800 barrels of poor fruit a year it is producing about 1,500 barrels of good fruit a year. The result is that the town has become an apple-producing center. Now, those farmers might have read agricultural experiment station bulletins for a hundred years on how to develop an orchard and they never would have done it. They believed their eyes and changed their methods."

"We are tremendously interested in this thing. The salvation of New England, it seems to me, is dependent upon increased agricultural prosperity. Agricultural extension is the way to bring it about. You can talk to farmers at farmers' institutes and you can send them bulletins by the ton, but they do not change their practice. But when you go to the farm and 'show' the man then he is your friend for life, and that, in my opinion, is the way to develop agriculture in New England or any other part of the United States."

Dr. Thompson, president of the University of Ohio, presented a strong appeal for the bill and declared that it was necessary to "develop the work of the American farmers," and as a "supplementary move that will reach the matured men and women, who, for one reason or another are not able to bring themselves to the school, and give them the full benefit of the appropriations already made to the colleges and experiment stations."

Dr. Howard H. Gross, president of the National Soil Fertility League, of Chicago, among other things, said:

"I believe this bill for agricultural extension, measured by its general benefits, is the most important constructive measure since the days of Abraham Lincoln. I believe that is the consensus of opinion of the gentlemen who have given it careful study."

He pointed out that at a low estimate the proposed extension work is not only the way to an increase of average yield per acre of 20 per cent, but also made the following statement:

"The approximate area of farm lands is 900,000,000 acres. The present crop value is about \$9,000,000,000. Twenty per cent increase means \$1,800,000,000, equal to \$18 per capita on 100,000,000 population. This sum equals one-half of all the money in circulation. Surely the figures are tremendous. The maximum cost to the Federal Treasury under the bill before you will be \$3,000,000 per year. The value of 20 per cent increase on one year's crop will pay for the proposed demonstration work for 600 years."

He also said:

"There appeared before the committee representatives of agricultural associations, representatives of the agricultural colleges and experiment stations, students of agricultural development, and leading bankers, all of whom urged the passage of this measure as one necessary for the improvement of the agriculture of the country, and they dwelt upon both the benefits which would go to the farmer and to the urban citizen as a consequence of the improved methods on the farm which this bill would bring about."

At a recent meeting of the presidents of the colleges of agriculture and experiment stations the following resolutions were passed:

"The Association of American Agricultural Colleges and Experiment Stations, in session at Atlanta, Ga., November 14, 1912, most respectfully requests the United States Senate to pass the agricultural extension bill, H. R. 22871, during the coming session of the Sixty-second Congress."

"For some years the institutions represented in this association have been urging the development of work in agricultural extension for the purpose of carrying to the farmer in his own community the successful experience of the experiment stations and the approved teachings of the colleges of agriculture."

"During the sessions of the Sixty-first Congress several bills looking to this end were introduced and hearings given to the representatives of the agricultural colleges, of the National Grange, of bankers' associations, and of others interested in the development of the Nation's agricultural resources."

"On January 16, 1912, the Hon. HOKA SMITH introduced in the United States Senate and Hon. A. F. LEVER introduced in the House of Representatives a bill to establish agricultural extension departments in connection with the agricultural colleges in the several States receiving the benefits of the act of Congress approved July 2, 1862. The bill now known as H. R. 22871, embodying substantially the provisions of the two bills referred to above, has passed the House of Representatives and is now pending in the Senate."

"The provisions of this bill have been fully discussed in the hearings before the Committees on Agriculture in both the House of Representatives and the Senate. Its provisions are simple and clear. The bill seeks to bring to the practical farmer by correspondence, instruction, and demonstration the accumulated and approved experience and methods of the colleges and experiment stations during the past 50 years."

"Fifty years ago the United States Congress passed the act providing for the land-grant colleges. Twenty-five years ago Congress passed the act providing for the experiment stations. Both these acts have been supplemented with legislation increasing the funds and the efficiency of both colleges and stations. It is now urged that on this anniversary year the agricultural extension bill be passed in order to enable these colleges to carry to the farmer who can not come to the college or station such demonstration of the results obtained in these institutions as shall enable him to maintain and develop the agricultural resources under his direction. This movement we believe to be in accord with sound public policy lying at the basis of the economic policies looking toward increased production as an important factor in determining the comfort and welfare of the whole people. This bill naturally and logically completes the chain of agencies fostered by the Federal Government for the betterment of agriculture. Hitherto we have maintained laboratories and field experiments at our colleges and stations, have put the results into bulletins, and have taught them in the classroom. It is now proposed to take these results to the local community, carry

the school to the farmer, and make his own fields a laboratory in which we can demonstrate the value of science when applied to agriculture.

"The association would call the attention of the Senate to two facts: First, the universal approval the country over of the wisdom of passing the land-grant act after an experience of 50 years; of the equally universal approval of the country of the act providing for the experiment stations after an experience of 25 years; and, second, to the fact that the agricultural interests as represented by the farmers, the colleges, the experiment stations, the agricultural press, and other interests as represented in bankers' associations and philanthropic agencies of various names are all united in a desire to see the bill for agricultural extension become a law.

"The Association of Agricultural Colleges, believing that these extension departments should be established without delay, and believing that this measure should receive favorable consideration upon its own merits without complication with other legislation, does most respectfully urge upon the Senate of the United States the importance of passing the bill for the establishing of agricultural extension departments in the agricultural colleges of the several States at the earliest possible date, to the end that the legislatures of the different States, many of which meet in January, may have opportunity to accept the provisions of the bill and to put the departments into operation during the coming year.

"Attention is respectfully called to the hearings before the Committee on Agriculture and Forestry in the United States Senate, Sixty-second Congress, second session (S. 4563), March 1, 1912, for a more complete statement of the merits of the bill and of the reasons for its enactment into law.

"Passed by the Association of American Agricultural Colleges and Experiment Stations, Atlanta, Ga., November 14, 1912.

"WINTHROP E. STONE, President.

"Attest:

"JOSEPH L. HILLS, Secretary."

The International Dry Farming Congress at Colorado Springs indorsed the bill by unanimous vote.

The New England Conference of Rural Progress, comprising 70 organizations, at a meeting in Boston, said:

"Of all the bills now before Congress, we believe the Lever bill to be the most practical form of legislation yet proposed."

The Tri-State Grain Growers' convention, comprising Minnesota and the two Dakotas, passed resolutions emphatically indorsing the bill.

The executive officers of the State Grange, the State Federation of Farmers' Clubs, and State Horticulture Society, of Michigan, unanimously indorsed the bill.

The Farmers' Union indorsed the bill.

The Third Wisconsin Country Life Conference, at Madison, passed a resolution urging the Members of Congress to pass the agricultural extension bill.

Secretary of Agriculture Hon. James Wilson, in a memorandum prepared for the President of the United States, after full discussion of the provisions of the bill, says:

"From time to time during the past three or four years bills have been introduced in Congress having for their object agricultural extension work, and upon these bills there has been considerable discussion. Public sentiment has gradually been crystallized on the matter until now we have before us House bill 18160, known as the Lever bill—a concrete proposition in regard to carrying the results of agricultural knowledge directly to the man on the land. Unquestionably such a plan, if properly carried out, would result in great good and would do much toward making useful and valuable the rapidly growing store of knowledge developed along agricultural lines."

(Secretary Wilson designated House bill 18160 as the bill to which he was referring. The present bill, as heretofore explained, is the substitute for that bill.)

The following are abstracts of indorsements of the bill as it was first introduced into the Senate, the present bill being practically the same measure, with only the changes to which we have heretofore called attention:

ALABAMA.

President State Agricultural and Mechanical College says it is "a splendid piece of prospective legislation."

President Alabama Polytechnic Institute: "We regard this work as one of the greatest possible good that can be rendered by the Government to our great farming interests. * * * This sort of constructive work done with the Government money seems to me to be of even more value than what might be called the destructive work of the appropriations for guns and battleships."

ARIZONA.

President University of Arizona: "The newer sections of the country are in great need of the national help that such a bill as yours contemplates. * * * I am glad the whole subject is engaging the attention of Congress * * *"

ARKANSAS.

President University of Arkansas: "I heartily approve of the bill and hope that it will be passed."

Dean and director College of Agriculture: "Senate bill 4563 * * * is a piece of proposed legislation which, to my mind, is of great importance."

CALIFORNIA.

President University of California: "There is no way in which we can do real good for the masses of our people better than through agricultural extension work. * * * There can be no question about our favoring the bill; we know what it means."

CONNECTICUT.

President Connecticut Agricultural College: "My personal opinion is that carrying of the latest scientific knowledge to the working farmer is one of the most important duties of the land-grant colleges. I sincerely hope that this bill will have favorable consideration by the present session of Congress."

DELAWARE.

President Delaware College: "I am very much pleased, indeed, to hear that the bill * * * has been read twice and referred to the Committee on Agriculture and Forestry. * * * Boys and girls of the common-school and high-school ages usually decide into what sphere of life they wish to enter. Formerly the dearth of agricultural education in that formative period rendered it impossible for the boy or girl to realize the importance of such instruction and consequently the country boy usually found a home in the city. I believe that this condition of affairs will be remedied by the operation of such a bill as you have proposed."

FLORIDA.

President University of Florida: "I sincerely hope that you will be successful in passing this measure. Our State at the present time is giving \$7,500 annually for farmers' institutes and agricultural extension work. With double this amount we believe that the efficiency of the agricultural extension work would be quadrupled, as paradoxical as this may seem."

GEORGIA.

Chancellor University of Georgia: "It is the best bill for extension work that I have ever seen. It is the only bill for extension work which I have been able to read and understand. If there is any way in which I can aid in its passage I will be glad to know it."

President State College of Agriculture: "We are naturally very much gratified to see the progress you are making with your measure in the Senate, and hope Mr. LEVER will have equal success in the House."

HAWAII.

President College of Hawaii: "I have read the bill over carefully and heartily commend your efforts to secure this benefit for the large and important class of our people who are in need of its provisions. This is constructive legislation of the truest type. Efficiency and contentment in agriculture are at the foundation of the Nation's welfare. * * * I believe that extension teaching is most important of all our methods for the propagation of knowledge. * * * There is sufficient data to show that the endowment for the agricultural colleges and experiment stations and the appropriations for the Department of Agriculture must be considered as among the best investments that the Nation has ever made."

IDAHO.

President University of Idaho: "Even with the best preparation we can make, and the most generous support from the Government in all of its divisions, we expect to be swamped by applications for assistance through extension instruction. Practically every community in the State is clamoring for extension work, and only a small percentage of the requests can be complied with. With reasonable support, however, from the United States and the State, we may expect that practically the whole agricultural population of Idaho will go to school for a portion of each year."

ILLINOIS.

Vice president University of Illinois: "The bill (S. 4563) introduced by you into the Senate of the United States is one of very great importance to the people of our country, and if passed is destined to work wonderfully great results. It is well known to everybody who has thought on the matter that agriculture with us is in a state of low development. * * * The people of the rural districts are not sharing adequately in the general prosperity of the country, and the latter can not be maintained without a forward movement among these rural people. Everywhere of late is heard the cry, 'Back to the farm.' But until the farm becomes desirable as a source of living and of community life no adequate result can be reached. This bill will serve in a practical way to make this movement really successful. * * * The University of Illinois is doing a great deal of this work now from State appropriations. It can do much more with the aid that the bill is destined to give."

Editor Orange Judd Farmer, Chicago: "The demonstration idea has not been given great attention at the North. Its wonderful success South ought to be sufficient proof that it would be just as satisfactory at the North. We are heartily in favor of this kind of work. I am very anxious to do what I can to help this bill along."

INDIANA.

President Purdue University: "I am in favor of this kind of legislation rather than some of the other measures which are now before Congress. * * * I find the demands upon us for attention and for work which we would like to do far in excess of our resources. This kind of work is the thing now most needed in our agricultural colleges, and I hope the measure will pass."

KANSAS.

President State Agricultural College: "We shall be very glad to do anything necessary to be done to indicate the interest of the farming classes in this matter and to assure the Members of Congress that they will appreciate the enactment of a law along the line of this bill."

KENTUCKY.

Editor Home and Farm, Louisville: "The policy will result in great good. * * * Only through a better agricultural education will the farmers be able to diversify their crops intelligently, care for their soils, and increase their profits."

MAINE.

President University of Maine: "I have gone over Senate bill 4563 with very great interest. I see nothing whatever to criticize or change in the bill. If this bill becomes a law it will enable the land-grant colleges to render unusual service to the people of this country. If I can be of any service in bringing about the favorable consideration of this bill it will be a pleasure."

MASSACHUSETTS.

President Massachusetts Agricultural College: "I am more than glad to give a hearty indorsement to the bill. * * * I think that this is one of the most important educational measures ever introduced into Congress. I believe the time is ripe for a great Federal movement in popular education in agriculture and rural affairs. The States are doing something, but we need the stimulus, direction, and practical assistance of the National Government. * * * You will find the agricultural educators and farmers of America back of you in this effort to inaugurate a great movement. I know of nothing that the present Congress could do that would be more popular. I hope the bill may be passed at this session."

MICHIGAN.

President Michigan Agricultural College: "This bill has my hearty indorsement and I hope may pass. I shall do all I can to that end."

MINNESOTA.

Indorsements received from the officers of the State College of Agriculture and Experiment Stations of Minnesota.

MISSISSIPPI.

President Agricultural and Mechanical College: "I heartily indorse your bill. While I was president of the American Association of Institute Workers I delivered an address urging that such a bill be passed by the National Congress. Extension work is by far the most important work of the land-grant colleges at this time. * * * We

already have enough information to transform our agriculture if we could get the people to incorporate it in their practices."

MONTANA.

President Montana State College of Agriculture and Mechanic Arts: "I am heartily in favor of this movement, and I believe that the provisions of this bill will meet the approval of all the interests concerned. The amount required to carry out this bill is insignificant, and yet it will stimulate the States to expend several times this amount."

NEBRASKA.

Chancellor University of Nebraska: "The University of Nebraska has already organized a department of agricultural extension. For lack of funds, however, our work is conducted mainly along the line of farmers' institutes. I have read the bill, and most cordially indorse it in every particular."

NEW JERSEY.

President Rutgers College: "I am glad to express to you my emphatic indorsement of this measure and my earnest hope that it will be passed. The State Agricultural College of New Jersey, Rutgers College, is surely in position to do extension work throughout the State, and the work ought to be done."

NEVADA.

President College of Agriculture and Mechanical Arts: "I heartily approve your bill and hope that it will be adopted."

NEW HAMPSHIRE.

President New Hampshire College of Agriculture and the Mechanic Arts: "My personal belief is that if this bill is passed by Congress it will be one of the wisest pieces of legislation since the land-grant act of 1862. * * * To my mind agricultural extension work is of the utmost importance at the present time. Our experiment stations have accumulated a large mass of facts and our colleges have done a wonderful work in accumulating and assimilating agricultural information of all kinds, and the most important thing we can do now is to extend this information to the farmers. This can be done only by demonstration and by other practical thorough-going methods. I hope that your bill will receive the hearty support of every Member of Congress."

NEW MEXICO.

President New Mexico College of Agriculture and Mechanic Arts: "I have read the bill with great care, and will say that I believe it to be the best of the several bills now pending before Congress which have this object in view. Whatever may be the merits of the various propositions to have the Federal Government support agricultural high schools, trade schools, district agricultural schools, and branch experiment stations, it seems clear that none of these ought to be tied up with the agricultural extension proposition, of which almost everybody is in favor. The Association of Agricultural Colleges at its recent meeting took the position that the support of agricultural extension work was the most important advance movement to be accomplished by legislation at this time."

NEW YORK.

President Cornell University: "It is a species of instruction which appeals to the public more than college instruction or investigation, for which provision has been made in previous acts of Congress."

NORTH CAROLINA.

President College of Agriculture and Mechanic Arts: "There is no work which the Nation can do now which would tell more for material progress than the extension work which would be so heartily aided by your bill. If there is anything that our farmers need more than another it is for some one to carry directly to them the vast amount of scientific knowledge about crops and methods which has been made available in the past few years. The passage of this bill would give an opportunity to do this thing, and I am sure no step could count more for progress than would be taken by such action on the part of our Congress."

NORTH DAKOTA.

President North Dakota Agricultural College: "A resolution was adopted at the Tri-State Grain Growers' Convention indorsing the passage of your bill, and, as president of the convention, I sent copies of the resolution to the members of both houses in Minnesota and the two Dakotas. I trust the bill will find favor with both Congressmen and Senators and become a law."

OHIO.

Dr. Thompson, of the University of Ohio, appeared in person before the committee, advocating the bill.

OKLAHOMA.

President Oklahoma Agricultural and Mechanical College: "I am in hearty sympathy with the purpose of your bill."

OREGON.

President Oregon Agricultural College: "I am in hearty accord with all the provisions of this bill. I have already written Members of the Oregon delegation, urging that they give it their support. The Oregon State Agricultural College has a regularly organized department or division for extension work in agriculture and home economics. One great need is for money with which to carry on this work. I sincerely trust that your bill may be passed by the present Congress."

PENNSYLVANIA.

President Pennsylvania State College: "Let me thank you for copy of Senate bill 4563. * * * Wishing the bill success and thanking you for your efforts for the benefit of public education, I am, * * *"

Secretary State Horticultural Association of Pennsylvania: "I take this opportunity to especially commend Senate bill 4563, introduced by you, and to assure you of the interest and support of this association. This is a matter of immediate need and far-reaching advantage to the agricultural interests of the country. I sincerely hope that it may become a law."

RHODE ISLAND.

President Rhode Island State College: "I heartily approve of your bill and have no criticisms to make. This college has been prosecuting extension work for seven or eight years, laboring under the difficulty of lack of funds. * * * I am anxious to do whatever is possible to aid in the passage of this measure, and have written our Senators accordingly."

SOUTH CAROLINA.

President Clemson Agricultural College: "I have read this bill with a great deal of interest. * * * I consider it one of the most important pieces of constructive legislation proposed since the Hatch Act, establishing the agricultural experiment stations. There is no question

but that the great need to-day is the dissemination of agricultural information among our rural people. We would welcome the passage of such a bill as yours, and assure you that we would try to make its application in South Carolina of the greatest usefulness to our people."

SOUTH DAKOTA.

President South Dakota State College: "The cause is one that has our hearty indorsement. I have not been negligent of Senate bill 4563. I believe that our delegation will support it."

Principal, School of Agriculture: "I think our farming people * * * have almost no realization of the advantages that will come from legislation of this kind. * * * I feel positive that this work will greatly advance the agricultural interests of this great State of South Dakota."

TENNESSEE.

President University of Tennessee: "I am heartily in favor of the passage of this act. I believe the work contemplated by it to be of the greatest importance. I will be glad to do anything in my power to influence its passage."

TEXAS.

President Agricultural and Mechanical College: "If this bill should become a law, I am sure that it will mark a new era in agricultural education among the masses in America. * * * I can think of no expenditure of money by the Government that would be more remunerative to the Nation and which would redound to the amelioration of so large a number of our most deserving fellow citizens."

Editor Farm and Ranch: "This is a very important measure and one that should be passed without opposition."

UTAH.

President Agricultural College of Utah: "Utah established an agricultural extension department several years ago. * * * We are unable, however, with the means at our disposal, to meet the demands made upon us. * * * You are at perfect liberty to quote the officials of the Utah Agricultural College as being in very hearty sympathy with any measure for the promotion of our industrial life through the development of extension work among the farmers and farmers' wives throughout the country. It is possibly the most important work now lying before the agricultural colleges, since it permits the proper distribution among those who need it of the splendid mass of facts gathered by the agricultural experiment stations."

VIRGINIA.

President Virginia Polytechnic Institute: "This is by far the best proposition which has yet come forward. * * * The bill seems carefully drawn, and I can most heartily indorse it."

WASHINGTON.

Vice president State College of Washington: "I have been waiting a little to find what was recommended by the meeting of the agricultural college representatives and find that they are all of them backing this particular bill. There is certainly a large demand for more extension work in the country. We need to rationalize our education and make it more helpful to the young men and young women who do not expect to enter professional life. I will write to our Representatives and Senators and ask for their hearty cooperation in the passage of Senate bill 4563."

WEST VIRGINIA.

President West Virginia University: "I thank you very much for a copy of the bill sent, and hasten to express my wish that it may become a law. * * * This is one of the greatest works for the benefit of the entire country to which public money can be devoted. It is through the extension work, and through it alone, as far as I can see, that the people of most of our rural communities can be thoroughly awakened to the need and value of agricultural education. The proposed bill seems to me to be satisfactory in every detail, and I hope that you will be successful in securing its passage."

Dean and director College of Agriculture, West Virginia University: "I am sending out a letter to some of our leading people urging the support of your bill, and would like to send a copy of the bill with these letters. * * * We shall give this measure every support possible."

WISCONSIN.

Dean University of Wisconsin: "Senate bill 4563 * * * is, to my mind, the most suggestive measure that is under consideration in Congress for the advancement of the agricultural welfare of the Nation. What is needed most imperatively is the carrying of present agricultural knowledge to the man on the farm. * * * The agricultural extension service is the only way in which this can be most effectively accomplished, and your bill most satisfactorily fulfills this need. * * * We in Wisconsin will do all that we can to aid in the passage of this measure."

Secretary Wisconsin Country Life Conference Association: "The following resolution was unanimously adopted by the conference association, representing all the varied interests of country life and rural progress in all parts of Wisconsin:

"Resolved, That it is the sentiment of this conference association that we urge our Representatives in Congress to support the bill 'To establish agricultural extension departments in connection with the agricultural colleges in the several States, etc.' House bill 18160, Senate bill 4563."

"I take pleasure in acquainting you with representative Wisconsin sentiment on this measure."

Secretary Wisconsin Live Stock Breeders' Association: "Inclosed herewith please find copy of resolution passed unanimously by the Wisconsin Live Stock Breeders' Association, an organization representing all of Wisconsin's best live-stock breeders:

"MADISON, Wis., February 8, 1912.

"Resolved, That the Wisconsin Live Stock Breeders' Association assembled in annual convention heartily indorses the principle of Government aid to agricultural college extension as embodied in the Lever bill (House bill 18160), and that we authorize the secretary of this association to send a copy of these resolutions to the chairmen of the Senate and House Committees on Agriculture and to Members of the Wisconsin delegation in Congress."

Secretary National Association of State Universities: "I am deeply interested in your Senate bill 4563. The bill ought to pass, and I should be glad to cooperate with you in any way within my power to bring about the desired result."

Mr. W. O. Thompson, member executive committee Association of American Agricultural Colleges and Experiment Stations and president Ohio State University: "As chairman of the executive committee of the Association of American Agricultural Colleges and Experiment Sta-

tions I should be very much pleased to be heard before the committees of both the House and Senate. As a little evidence of our interest, I may say that we started agricultural extension four years before the legislature authorized it, and had as many as 8,000 boys on the farms doing experimental work. * * * The Agricultural College Association expressed itself very decidedly last November in favor of agricultural extension."

Secretary New England Conference on Rural Progress: "At a meeting of the New England Conference on Rural Progress, March 8, at the offices of the State board of agriculture, statehouse, Boston, the following resolutions were unanimously voted:

"Recognizing the latent possibilities of the New England States for agricultural development, especially along certain high-class, specialized lines, and realizing that this development can be most speedily and effectively brought about through well-organized extension teaching in agriculture, the New England Conference on Rural Progress—representing more than 70 organizations interested in rural life—to-day assembled in convention in the city of Boston, would respectfully urge upon Congress the necessity and advisability of passing legislation granting Federal funds for the development of extension teaching in agriculture. Of the bills now before Congress we believe Senate bill 4563 and House bill 18160 to be the wisest and most practical forms of legislation yet proposed."

"The delegates represent the agricultural colleges, the experiment stations, the State granges, and various special agricultural, live stock, dairying, and other organizations and agencies of New England."

State superintendent of farmers' Institutes, Lansing, Mich.: "At the Michigan State Round-up Farmers' Institute, held at this place on February 27 to March 1, at which representative farmers from more than 50 of the counties of the State were present, the following resolution was adopted:

"Whereas Representative A. F. LEVER, of the seventh district of South Carolina, has introduced a bill to establish agriculture extension departments in connection with agricultural colleges in the several States receiving the benefits of an act approved July 2, 1862, and acts supplementary thereto, and referred to the Committee on Agriculture: Therefore

"Resolved, That the members of the Seventeenth Annual Farmers' Institute Round-up, in session at the Michigan Agricultural College, ask and urge its Senators and Members of Congress to favor the passage of this bill."

"I would say that, in addition to the above delegates, the executive officers of the State Grange, State Federation of Farmers' Clubs, State Horticultural Society, and nearly 1,000 farmers were present and voted unanimously for the resolution."

Editor Agricultural Epitome, Spencer, Ind.: "I congratulate you on so far-reaching a measure as Senate bill 4563 is intended to be. If Congress does nothing else than pass this bill, it will justify the wisdom of the forefathers."

UNION CITY, GA., February 26, 1912.

Dr. A. M. SOULE

(Care Hon. Hoke Smith), Washington, D. C.:

Resolutions adopted by Georgia Farmers' Union that the bills now pending in Congress which propose to appropriate a sum of money to each State for agricultural education, providing the State will appropriate a similar amount, known as House bill 18160 and Senate bill 4563, be heartily indorsed and supported.

J. F. DANIEL, Secretary-Treasury.

The committee recommends the passage of the bill as it came from the House, with only the following amendment:

On page 5, line 14, strike out the words "duly appointed by the governing boards of said colleges," and insert "of the State, duly authorized by the laws of the State."

During the reading of the report,

Mr. SMOOT. Mr. President, I should like to ask the Senator from Georgia if he would be satisfied to have the report printed in the RECORD without further reading?

Mr. SMITH of Georgia. There are a few suggestions I desire to make about it a little later on. This is the noon hour, and I would rather let the reading continue for the present, because when Senators get through with their lunch the probabilities are that there will be more of them in the Senate Chamber a little later on.

Mr. SMOOT. I thought there were so few in the Chamber that it would make no difference to the Senator if the report were printed in the RECORD without further reading.

The PRESIDING OFFICER. The Senator from Georgia requests that the reading be completed.

After the reading of the report had been concluded,

Mr. SMITH of Georgia. Mr. President, the Senator from Vermont [Mr. PAGE] has a substitute which he intends to offer to the pending bill, and I think this would probably be an appropriate time for him to offer it.

Mr. PAGE. I move, touching the bill now before the Senate, House bill 22871, to strike out all after the enacting clause and substitute what I send to the desk.

Mr. SMITH of Georgia. Before the Secretary reads the substitute, I would like to say to the Senate that under the provisions of the bill which the House has passed, to make the appropriations effective, with the exception of \$10,000 to each State, duplicate appropriations must come from the respective States. It is also necessary that the States should accept the plan.

Nearly every State in the Union has its legislature in session at the present time. A number of the States will have no legislatures in session again for two years. It is, therefore, of very great importance that this House bill should pass as speedily as possible, so that the legislatures of the respective States may at once take up the subject of the acceptance of the provisions of the bill and of the appropriations which the respective States must make.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 78) proposing an amendment to the Constitution of the United States.

Mr. WORKS. If no Senator desires to discuss this joint resolution, I ask that the unfinished business be temporarily laid aside. It would be an excellent opportunity for discussion, if Senators desire.

The PRESIDING OFFICER. The Senator from California asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none. The Senator from Georgia will proceed.

Mr. SMITH of Georgia. Mr. President, I only desire at this time to urge upon the Senate the importance of speedy action upon this bill. The Senator from Vermont has offered as a substitute the measure which has been pending for some time before the Senate, known as the Page vocational-educational bill. Whether the Senate adopts his substitutes or adopts the original bill, if we are to have legislation at this session of Congress it is important that action should be speedily taken.

Of course if the Senate adopts the substitute of the Senator from Vermont, it must go to conference, and we will see what can be done as a result of the conference. If the Senate adopts the bill as it has passed the House, we have the legislation certain, the House already having acted upon it.

But whatever may be the vote of the Senate, whether for the substitute of the Senator from Vermont or for the bill as it comes from the House, I wish to beg that the Senate give very speedy time for the hearing. If the bill passes as it comes from the House and we notify the States at once, nearly every State in the Union will through its legislature act upon this matter within the next two months.

I will not discuss the merits of the two measures just now, but I wish to ask Senators to consider whether we may not fix a day, within the next two or three days, when we will take up and dispose of this bill, together with the substitute of the Senator from Vermont. I do not think the debate would last long. I should like to request the Senator from Vermont to state what he thinks about it.

Mr. PAGE. I would be very glad, indeed, to know that the Senate would take up this substitute measure and discuss it at length, but I regret to say that my efforts to bring about a discussion have not yet been successful. I had hoped, and I join with the Senator from Georgia in the opinion, that there will not be much discussion on this measure. I also am very anxious that it shall receive early consideration, as suggested by the Senator from Georgia.

Mr. SMITH of Georgia. Mr. President—

Mr. GALLINGER. Will the Senator yield to me for a moment?

Mr. SMITH of Georgia. Certainly.

Mr. GALLINGER. I observe the Senator from Vermont suggested that he would like to have the bill discussed at length and then modified his statement. It seems to me that no lengthy discussion is needed. The Senator from Vermont has made one or two very illuminating speeches, and the Senator from Georgia is now discussing the measure. I am not quite sure how I shall vote, but this is a very important matter, and it does seem to me that we ought to get a vote without any very lengthy discussion of it.

Mr. SMITH of Georgia. I do not think I will wish to take over half an hour. I spoke before very briefly upon the House bill. The bill of the Senator from Vermont contains also, in a modified form, the measure which has been sent us from the House. As I understand it, no one is opposed to the agricultural extension work. We are all for that.

Mr. GALLINGER. It is a mere question of form, rather than substance.

Mr. SMITH of Georgia. Well, as to the form, it is not so important. The real difference between the substitute of the Senator from Vermont and the House bill is whether just at this time we shall stop with the agricultural extension work or whether we are ready now to undertake to go further with the vocational educational work, and also whether we are satisfied with the measure for vocational educational work as it is presented.

I wish to disclaim opposition to the vocational educational work. I am for it. To-night the Senator from Vermont and I are to meet with a gentleman whom he regards as a special master of this subject to see if there is objection to the way in which the proposed substitute for the House bill provides vocational education.

I hope to be able while I am in the Senate to vote for a vocational educational bill. I have some doubt as to the details of this particular bill, but I am—

Mr. GALLINGER. If the Senator will permit me just a moment—

Mr. SMITH of Georgia. Certainly.

Mr. GALLINGER. I did not mean when I said it was a matter of form that there was no difference in the details. I understand perfectly the difference in the bills, and it is for the Senate to decide which, in the judgment of the Senate, is the better measure. Personally, while I am very strongly in favor of some legislation, I trust the suggestion the Senator has just made that there is to be a consultation may result in a compromise bill.

Mr. SMITH of Georgia. I wish to say that the Senator from Vermont has been just as courteous about his bill as a man possibly could be. He has urged me to suggest amendments where I felt there was just criticism. But I have not been able to satisfy myself about just what shape the measure should take. I would rather see his substitute pass and go to conference than not to have either the substitute or the original bill pass. I do not think the debate upon the bill will last two hours if we set a time for action upon it.

Mr. SMOOT. I suggest to the Senator that perhaps we can get to a vote at an earlier date by not agreeing upon a time. If there is to be no discussion and the Senate is ready to vote, it seems to me to be more likely that we can vote upon it at a much earlier date than if we should set a day at some future time.

Mr. SMITH of Georgia. Unless we set a date just a couple of days off. I think a good many Senators who are now absent wish to be present when the vote is taken. I stated to the Senator from Vermont and to the Senator from Utah that I would not undertake to press the bill to a vote to-day, because I understood there were Senators interested in the measure who would be absent.

Mr. SMOOT. That is true. Therefore it would be better not to ask for a unanimous-consent agreement at this time to fix a day. I believe that the quicker way to secure the passage of the bill would be to bring it up and discuss it, and when the discussion is through to vote on it.

Mr. SMITH of Georgia. Mr. President, just a word or two further to the Senate with reference to the subject.

The substitute that has been offered contains about seven or eight different provisions for the contribution of money to educational work. The first is to schools of a secondary grade, what we would usually term high schools. They are divided into two classes, those that have an equipment or a plant for manual training and those that have not. It appropriates \$3,000,000 to be used toward the introduction of vocational work, manual training, and household economics into the latter class of schools. Then it puts \$3,000,000 into those that have plants especially for vocational education. So \$6,000,000 is to go to the secondary schools, which are the high schools, half of it to those that have a special plant or equipment for manual training or industrial schools exclusively and the other half to schools of secondary grade, even though they are generally engaged in high-school educational work free from vocational training.

It also appropriates money to the colleges of agriculture to establish a chair for the education of teachers on these lines. It also appropriates money to establish a chair in the normal schools for the training of teachers on these lines. It appropriates money for additional experiment stations throughout the States. It appropriates money to establish an agricultural high school in each congressional district.

These are the elements of appropriation which the substitute contains that are not covered by the House bill. In all, the Page substitute appropriates \$13,000,000 for the purposes named not covered by the House bill. It also appropriates, in round sums, \$3,000,000 to be used by the colleges of agriculture for the establishment of extension departments, to enable the colleges of agriculture and experiment stations to carry the information which they have gathered during the past 50 years and the truths that they have made clear by their experiment stations and demonstrate them alongside the home of the farmer.

The farm-demonstration work is one of seven things that the bill of the Senator from Vermont undertakes to do. That is the only thing the bill sent us by the House undertakes to do.

As to that particular work—the establishment of extension departments in the colleges of agriculture—each bill has exactly the same purpose. It might be said for the bill which has come to us from the House that it has been worked out a little more completely in detail and is in more perfect shape than the measure as it is found in the bill of the Senator from Vermont.

The friends of each measure approve the House bill. There is no conflict between us or between the advocates of either of the bills as to the wisdom of passing the House bill. The Page bill contains it as one of more than half a dozen things which it undertakes.

There is much that the Page bill undertakes to do that I am exceedingly desirous of seeing done. I am not satisfied that it is yet worked out in detail in a manner to suit the condition of the States and to justify the appropriations. If I had the control of both, and if I could satisfy the Senator from Vermont, I would say pass the House bill as it had been sent to us, and then pass a joint resolution and send it to the House providing for the appointment of a commission of about 25 men, each from a different State, two-thirds of them engaged in educational work, to whom the vocational bill might be referred, so that they could give us a more detailed plan for the work, with more perfect limitations as to the way in which the money is to be spent.

But I do not expect to make any fight upon the bill of the Senator from Vermont. I simply wish to point out the trouble in my mind upon it. I am so cordially in favor of doing something in that line that I hesitate even to criticize its details.

Now, I suppose the substitute of the Senator from Vermont will be read.

The PRESIDING OFFICER. The Senator from Vermont [Mr. PAGE] has offered Senate bill No. 3 as a substitute for House bill 22871. The substitute bill, as the Chair recalls it, has already been read, and it will be considered as read now.

Mr. PAGE. I am not positive that it has been read in its present form.

The PRESIDING OFFICER. The Chair is so informed.

Mr. PAGE. The Secretary will know.

Mr. GALLINGER. I think it has been read.

The PRESIDING OFFICER. It has been read.

Mr. PAGE. Mr. President, I wish to say in answer to what the Senator from Georgia has said—and I will take just a moment—that so far as I am concerned I am willing to submit my amendment to his bill to a vote this afternoon; but perhaps that had best not be done, because I have no doubt the Senator and myself can get together in a friendly way and discuss it to-night and improve the measure in some way. But as far as I am concerned I would be glad to have the earliest possible date named for a vote on the bill.

The PRESIDING OFFICER. Without objection, the substitute will be considered as having been read, and it is pending.

The amendment submitted by Mr. PAGE is to strike out all after the enacting clause of the bill and to substitute the following:

CONSTRUCTION.

That the following words and phrases, as hereafter used in this act, shall, unless a different meaning is plainly required by the context, have the following meanings:

First. "School of secondary grade" or "secondary school" or "high school" shall mean a school offering studies and courses of lower than college grade which are designed to provide vocational education in agriculture and home making for persons above 12 years of age and in the trades and industries for persons above 14 years of age; and which, by courses of training approved under the provisions of this act, give vocational instruction in all-day classes to those persons who are preparing for agricultural, industrial, or home-making occupations; or in part-time and continuation classes to persons engaged in or experienced in agricultural, industrial, or home-making vocations; or in evening classes to persons above 16 years of age employed during the day in the respective vocations for which they are given instruction.

Second. "State college of agriculture and the mechanic arts" shall mean a college now receiving, or which may hereafter receive, the benefits of the act of Congress of July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" and of acts supplementary thereto.

Third. "Agricultural-extension department or division" shall mean a department or division which is established under the provisions of this act and under the direction of a State college of agriculture and the mechanic arts in any State, and which gives instruction and demonstrations in agriculture and home economics to persons not residing at said college nor at the district agricultural schools provided for in this act and which conveys or imparts to such persons information on such subjects through field demonstrations, publications, and otherwise.

Fourth. "Separate industrial or home economics school" shall mean a school fitting for useful service in the trades and industries and the home, and having a separate plant and equipment, and separate organization of teachers and courses of study.

Fifth. "District agricultural high school" shall mean a separate agricultural school of secondary grade, in a district composed of a group of counties, and located on a farm.

Sixth. "Branch station" shall mean a branch of a State experiment station conducting field tests and breeding work, and located on a district agricultural high-school farm.

APPROPRIATIONS.

Sec. 2. That the several sums as herein provided in section 3 to section 10, inclusive, be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid, as hereinafter provided, to the respective States and the District of Columbia and to the Federal departments named herein, for instruction in agri-

culture, the trades and industries, and home economics, for agricultural tests and demonstrations, and for administrative purposes.

SEC. 3. That for the maintenance of instruction in agriculture, the trades and industries, and home economics in departments or divisions of schools of secondary grade, other than the separate industrial or home economics schools and the separate district agricultural high schools for which provision is hereinafter made, the sum of \$3,000,000 annually, beginning with the fiscal year ending June 30, 1916, such sum to be allotted annually to the States and the District of Columbia in proportion to their population as shown by the Federal census next preceding the year for which such allotment is made. The moneys appropriated under this section shall be known as the secondary school department fund.

SEC. 4. That for the maintenance of instruction in the trades and home economics in separate industrial or home economics schools of secondary grade, the sum of \$3,000,000 annually, beginning with the fiscal year ending June 30, 1916, such sum to be allotted annually to the States and the District of Columbia in proportion to their population engaged in trades and transportation and in manufacturing and mechanical pursuits as shown by the Federal census next preceding the year for which such allotment is made. The moneys appropriated under this section shall be known as the industrial or home economics school fund.

SEC. 5. That for the maintenance of instruction in agriculture and home economics in district agricultural high schools of secondary grade as hereinafter provided, the sum of \$3,000,000 annually, beginning with the fiscal year ending June 30, 1916, such sum to be allotted annually to the States in proportion to the number of persons engaged in agricultural pursuits as shown by the Federal census next preceding the year for which such allotment is made; and for each State with less than 100,000 people engaged in agriculture, according to such Federal census, the additional sum of \$5,000 for the fiscal year ending June 30, 1916, and annually thereafter. The moneys appropriated under this section shall be known as the district agricultural high-school fund.

SEC. 6. That for the maintenance of branch stations, as provided for in this act, the sum of \$1,000,000 annually, beginning with the fiscal year ending June 30, 1916, to be allotted annually to the States in proportion to the number of persons engaged in agricultural pursuits as shown by the Federal census next preceding the year for which such allotment is made; and for the maintenance of such branch stations in each State with less than 100,000 people engaged in agriculture, according to such Federal census, the additional sum of \$2,000 for the fiscal year ending June 30, 1916, and annually thereafter. The moneys appropriated under this section shall be known as the branch-station fund.

SEC. 7. That for the support in each State college of agriculture and the mechanic arts of an extension department or division, the sum of \$640,000 annually, beginning with the fiscal year ending June 30, 1913, of which annual appropriation \$10,000 shall be allotted to each of the 48 States for the benefit of such extension departments; and for the maintenance of such extension departments, the additional sum of \$400,000 for the fiscal year ending June 30, 1914; the additional sum of \$700,000 for the fiscal year ending June 30, 1915; the additional sum of \$1,000,000 for the fiscal year ending June 30, 1916; the additional sum of \$1,300,000 for the fiscal year ending June 30, 1917; the additional sum of \$1,600,000 for the fiscal year ending June 30, 1918; the additional sum of \$1,900,000 for the fiscal year ending June 30, 1919; the additional sum of \$2,200,000 for the fiscal year ending June 30, 1920; the additional sum of \$2,500,000 for the fiscal year ending June 30, 1921, and annually thereafter; these additional sums to be allotted annually to the States in proportion to their population engaged in agriculture, as shown by the Federal census next preceding the year for which such allotment is made. The moneys appropriated under this section shall be known as the extension work fund.

SEC. 8. That for the preparation of teachers to give instruction in or closely related to agriculture, the trades and industries, and home economics, in departments or divisions of education in the State colleges of agriculture and the mechanic arts of the respective States, the sum of \$640,000 for the fiscal year ending June 30, 1913, and annually thereafter; of which annual appropriation \$20,000 shall be allotted for the use and benefit of said departments or divisions of education in land-grant colleges in each of the 16 States which maintain separate land-grant colleges for persons of the colored race, \$10,000 of which shall be for the education of persons of the white race and \$10,000 for the education of persons of the colored race; and \$10,000 shall be annually allotted for the use and benefit of said departments or divisions of education in each of those States which do not maintain separate land-grant colleges for persons of the colored race. The moneys appropriated under this section shall be known as the college teachers' training fund.

SEC. 9. That for the preparation of teachers to give instruction in or closely related to agriculture, the trades and industries, and home economics in State normal schools and in other schools furnishing special training for teachers, the sum of \$1,000,000 annually, beginning with the fiscal year ending June 30, 1913, to be allotted annually to the States and the District of Columbia in proportion to their population as shown by the Federal census next preceding the year for which such allotment is made; and, for such instruction as in this section is provided, in each State with less than 300,000 inhabitants the additional sum of \$3,000 for the fiscal year ending June 30, 1913, and annually thereafter. The moneys appropriated under this section shall be known as the normal teachers' training fund.

SEC. 10. That the sum of \$40,000 annually, beginning with the fiscal year ending June 30, 1913, to be expended under the direction of the Secretary of the Interior in paying the necessary expenses of administering the provisions of this act relating to schools of secondary grade and to the preparation of teachers in agriculture, trades and industries, and home economics; the sum of \$20,000 annually, beginning with the fiscal year ending June 30, 1913, to be expended under the direction of the Secretary of Agriculture in paying the necessary expenses of administering the provisions of this act relating to extension departments or divisions and branch stations; the sum of \$15,000 annually, beginning with the fiscal year ending June 30, 1913, to be expended by the Secretary of Agriculture in paying the necessary expenses of giving advice and assistance, as herein provided, to the Secretary of the Interior in the administration of the provisions of this act relating to all schools of secondary grade giving training in agriculture and home economics, and to the preparation of teachers in these vocations; the sum of \$15,000 annually, beginning with the fiscal year ending June 30, 1913, to be expended under the direction of the Secretary of Commerce and Labor in paying the necessary expenses of giving advice and assistance, as herein provided, to the Secretary of the Interior in the administration of the provisions of this act relating to instruction in the trades and industries and to the preparation of

teachers for these vocations. The moneys appropriated under this section shall be known as the administration fund.

SEC. 11. That the Secretary of the Interior is hereby charged with the duty, and to him is hereby given all necessary power, to administer the provisions of this act relating to all schools of secondary grade and to the preparation of teachers in agriculture, the trades and industries, and home economics as herein provided; to secure advice and assistance from the Secretary of Agriculture and the Secretary of Commerce and Labor in carrying out the provisions of this act, in the making of investigations concerning education in the industries, home economics, and agriculture, and in the making of reports thereon; to cooperate with the State boards for vocational education herein provided for the respective States and the District of Columbia in developing the work of such secondary schools and in the training of such teachers; and to give to such boards for vocational education such advice and assistance as will best enable them to carry out the provisions of this act.

SEC. 12. That the Secretary of Agriculture is hereby charged with the duty, and to him is hereby given all necessary power to administer the provisions of this act relating to extension departments and branch stations; to make investigations and studies relating to the work of such departments and branch stations, and to issue reports thereon; to cooperate with the authorities of the State colleges of agriculture and the mechanic arts and the State experiment stations in developing the work of such departments and branch stations and in giving such State experiment stations such advice and assistance as will best enable them to carry out the provisions of this act; and to aid the Secretary of the Interior by giving advice and assistance to him in carrying out the provisions of this act relating to instruction in agriculture and home economics in schools of secondary grade and to the preparation of teachers for these vocations, and to make such investigations in relation to agriculture and home economics and such reports thereon as may be necessary in discharging this responsibility.

SEC. 13. That the Secretary of Commerce and Labor is hereby charged with the duty, and to him is hereby given all necessary power to aid the Secretary of the Interior by giving advice and assistance to him in carrying out the provisions of this act relating to instruction in the trades and industries in schools of secondary grade and to the preparation of teachers for these vocations, and to make investigations relating to education and research in the trades and industries and issuing reports thereon.

SEC. 14. That in order to secure the benefits of any fund provided for in this act any State shall, through the legislative authority thereof, accept the provisions of this act relating to such fund, and shall appoint the State treasurer custodian, to be known as custodian for vocational education, for all moneys received by such State under this act, and shall provide for the proper custody, administration, and disbursement of such moneys, as herein provided; and the District of Columbia shall, through the commissioners thereof, accept the provisions of this act, and shall appoint a custodian of all the moneys received by the District of Columbia under this act, to be known as custodian for vocational education, and shall provide for the proper custody, administration, and disbursement of such moneys. Any State or the District of Columbia may accept the benefit of any one or more of the respective funds herein appropriated to it, and may defer the acceptance of the benefit of any one or more of such funds, and shall be required to meet only the conditions imposed in relation to those funds the benefit of which it has accepted.

SEC. 15. That no State or the District of Columbia shall be entitled to the benefit of the secondary-school department fund, the industrial or home-economic school fund, the district agricultural high-school fund, the college teachers' training fund, or the normal teachers' training fund until the legislative authority thereof shall, by law, have created or designated a board of control, to be known as the board for vocational education, consisting of not less than three members, and having all necessary power to cooperate with the Secretary of the Interior in the administration of the provisions of this act relating to such schools of secondary grade and to such training of teachers; and such a board for vocational education for any State or the District of Columbia may consist of the board of education or other body having charge of the administration of public education therein.

SEC. 16. That no State shall be entitled to the benefit of the district agricultural high-school fund until it has, through the legislative authority thereof or through its board for vocational education, divided the State into districts, providing in each district for one district agricultural high school and in connection therewith a branch station, the total number of such districts and branch stations in a given State to be not less than one for each 15 counties nor more than one for each 5 counties and fraction of 5 counties; and in any State where separate district agricultural high schools are provided for the negro race the legislative authority of such State may divide the entire State into districts, providing in each district for one such school for the white race, and may divide the entire State into other and different districts, which need not be coterminous with those for the white race, providing in each such district for one school for the negro race; but the total number of such schools for the white and the negro races in such a State shall not be less than one for each 15 counties nor more than one for each 5 counties or fraction of 5 counties. Any district agricultural high school shall be open to admission without tuition charges and upon the same conditions to all persons, otherwise qualified as herein provided, residing in the district in which such school is located; but such school may be supported and controlled by the State, or by the district in which it is located, or by a portion thereof.

SEC. 17. That no State shall be entitled to the benefit of the branch station fund until its legislative authority shall, by law, have provided for one branch station in connection with each district agricultural high school receiving funds under this act, and shall have provided as an appropriation for the annual maintenance of such branch stations a sum at least equal to that allotted annually for this purpose to the State under this act; and the sum paid to each State for branch stations shall be applied only to paying the necessary expenses of conducting, by such branch stations, field tests, plant breeding, and other scientific work bearing directly on the occupation of agriculture in the United States, having due regard for the varying conditions and needs of the respective States.

SEC. 18. That no State shall be entitled to any part or all of its allotment for extension department work until its legislative authority shall, by law, provide for the establishment of an extension department or division in the State college of agriculture and the mechanic arts as herein provided, and shall have provided as an appropriation for that work an amount at least equal to the amount annually allotted to the State for such extension work under this act.

SEC. 19. In order to secure the benefit of the secondary school department fund, the industrial or home economics school fund, the district agricultural school fund, the college teachers' training fund, or the normal teachers' training fund, the board for vocational education for each State and the District of Columbia shall adopt, with the approval of the Secretary of the Interior, and place in operation a general administrative scheme or plan, with such modifications as may be made from time to time, for the proper distribution of moneys to school of secondary grade and to colleges and normal schools as herein provided; for the inspection and approval of such schools and colleges under the provisions of this act; and for the formulation and application in such inspection and approval of standards and requirements in vocational education as to types of schools, location, course of study, qualifications of teachers, methods of instruction, conditions of admission, and employment of pupils. In order that such a plan may be adapted to the needs of the State or the District of Columbia in which it is to become operative, the Secretary of the Interior shall, in passing upon it and its modifications from time to time, take into consideration the social, economic, industrial, educational, and administrative conditions, and all other relevant circumstances in such a State or the District of Columbia. It shall be the duty of such board for vocational education for any State or the District of Columbia to make annually to the Secretary of the Interior a full and detailed report of its administration of the provisions of this act relating to all such schools of secondary grade and to the training of teachers in colleges and normal schools as herein provided, and to make such additional statements and reports as may be required by the Secretary of the Interior in the discharge of his responsibility under this act.

SEC. 20. That it shall be the duty of the board of trustees or other authority having charge of any State college of agriculture and the mechanic arts receiving the benefit of the extension work fund to administer the provisions of this act relating to such extension work, under general plans approved by the Secretary of Agriculture; to cooperate with the Secretary of Agriculture in the development of such work; to make to the Secretary of Agriculture a full and detailed report of its operations in the direction of extension work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, and to make such additional statements and reports as may be required by the Secretary of Agriculture in the discharge of his responsibility for such extension work under this act.

SEC. 21. That it shall be the duty of the board of trustees or other authority having charge of any State experiment station receiving the benefit of the branch station fund to administer the branch station work herein provided in accordance with the provisions of this act and as a part of such State experiment station, under general plans approved by the Secretary of Agriculture; to cooperate with the Secretary of Agriculture in the development of the work of such branch stations; to make to the Secretary of Agriculture a full and detailed report of all its operations in branch station work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, and to make such additional statements and reports as may be required by the Secretary of Agriculture in the discharge of his responsibility for such branch stations under this act.

SEC. 22. That any school of secondary grade, or school or college for the preparation of teachers in agriculture, the trades and industries, and home economics, receiving funds under this act in any State or the District of Columbia shall, in order to receive the benefits of this act, conform to the requirements of the board for vocational education of such State or the District of Columbia; shall cooperate with such board in the development of the work of such school or college as herein provided; shall make to the board for vocational education of such a State or the District of Columbia a full and detailed report of its operations in the administration of the funds received by it under this act, including a detailed statement of receipts and expenditures from all sources for this purpose; and shall make such additional statements and reports as may be required by such board for vocational education in the discharge of its responsibility for such school under this act.

SEC. 23. That in order that any State or the District of Columbia may receive the benefit of the secondary-school department fund, the industrial and home-economics school fund, the district agricultural high-school fund, the college teachers' training fund, or the normal teachers' training fund under this act, it shall be the duty of the custodian for vocational education of such State or the District of Columbia, as herein provided, to make annually to the board for vocational education of such State or the District of Columbia a full and detailed report of his administration of the moneys received by him from such fund, as herein provided; and in order that any State may receive the benefit of the extension-work fund or the branch-station fund under this act it shall be the duty of such custodian to make annually to the Secretary of Agriculture a full and detailed report of his administration of the moneys received by him from such fund as herein provided, and to make from time to time such additional statements and reports relating to moneys received by him from the secondary-school department fund, the industrial and household arts school fund, the district agricultural high-school fund, the college teachers' training fund, or the normal teachers' training fund as may be required by such board for vocational education, and such additional statements and reports relating to moneys received by him from the extension-work fund or the branch-station fund as may be required by the Secretary of Agriculture in the discharge of their respective responsibilities under this act.

SUPPORT.

SEC. 24. That the Secretary of the Interior shall annually, upon the basis of the annual reports and recommendations made by the board for vocational education for any State or the District of Columbia, together with such additional investigations as he may make in the discharge of his responsibility, ascertain whether such State or the District of Columbia is using the moneys received by it out of the secondary school department fund, the industrial or home economics school fund, the district agricultural high school fund, the college teachers' training fund, or the normal teachers' training fund, in accordance with the terms of this act. On or before the 1st day of July in each year after this act becomes operative he shall certify to the Secretary of the Treasury as to each State or the District of Columbia whether it has complied with the provisions of this act and is entitled to receive its share of such fund, as herein provided, for such State or the District of Columbia and the amounts from such fund which each State or the District of Columbia is entitled to receive. Upon the certification of the Secretary of the Interior, as herein provided, the Secretary of the Treasury shall pay quarterly in advance to the custodian for vocational education of such State or the District of Columbia the moneys to which it is entitled for such schools under this act. Upon the requisition of the board for vocational education of such State or the District

of Columbia, such custodian shall pay to the governing board of any school of secondary grade, or school or college preparing teachers in agriculture, the trades and industries, and home economics, or other authority legally qualified to receive moneys for such school or college, the sum which it is entitled to receive under the provisions of this act.

SEC. 25. That the Secretary of Agriculture shall annually ascertain through investigations and reports whether the States receiving the benefit of the extension work fund or the branch station fund under the provisions of this act are using the funds granted to them in accordance with the terms of this act. On or before the 1st day of July in each year after this act becomes operative he shall certify to the Secretary of the Treasury as to each State whether it has complied with the provisions of this act and is entitled to receive its share of such extension work fund or such branch station fund herein provided for such State, and the amounts which each State is entitled to receive from such fund. Upon the certification of the Secretary of Agriculture herein provided, the Secretary of the Treasury shall pay quarterly in advance to the custodian for vocational education of such State the moneys to which such State is entitled for extension departments and branch stations under this act. Upon the requisition of the board of trustees or other board of control of any State college of agriculture and the mechanic arts or of any State experiment station of any State, such custodian shall pay to the treasurer or other officer duly appointed by such board of control the moneys to which such college or State experiment station is entitled under the provisions of this act.

SEC. 26. That the secondary school department fund shall be used only for distinctive studies in or closely relating to agriculture, the trades and industries, and home economics; the industrial or home economics school fund shall be used only for distinctive studies in or closely relating to the trades and industries and home economics; the district agricultural school fund of secondary grade shall be used only for distinctive studies in or closely relating to agriculture and home economics; the college teachers' training fund shall be used only by departments or divisions of education in these colleges and only in the preparation of teachers to give practical or technical instruction fitting for useful service in agriculture, the trades and industries, or the home; the normal teachers' training fund shall be used only for distinctive studies which are given in separate units organized as departments or divisions of State normal schools or other training schools under a properly qualified head, and which are designed to prepare teachers to give practical or technical instruction fitting for useful service in agriculture, the trades and industries, or home economics; the extension-work fund shall be used only for instruction and demonstrations in agriculture, home economics, and rural affairs; and the branch-station fund shall be used only for field tests, plant breeding, animal breeding, home economics, and other scientific work under plans approved by the directors of the State experiment stations of the respective States.

SEC. 27. That if any portion of the moneys received by the custodian for vocational education of any State or the District of Columbia under this act, for any given purpose named in this act, shall, by any action or contingency, be diminished, lost, or misapplied, it shall be replaced by such State or the District of Columbia, and until it is so replaced no subsequent appropriation for such purpose shall be paid to such State; no portion of any moneys appropriated under this act for the benefit of the States or the District of Columbia shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or to the purchase or rental of lands; and no portion of such moneys shall be expended other than in institutions supported and controlled by the public.

SEC. 28. That whenever it shall appear to the Secretary of the Interior, from the annual statement of receipts and expenditures of the custodian for vocational education of any State or the District of Columbia, that a portion of the preceding annual disbursement made to such State or the District of Columbia from the secondary-school department fund, the industrial or home economics school fund, the district agricultural high-school fund, the college teachers' training fund, or the normal teachers' training fund remains unexpended, a sum equal to such portion or amount shall be deducted by him from the next succeeding annual disbursement from such fund to such State or the District of Columbia; and whenever it shall appear to the Secretary of Agriculture, from the annual statement of receipts and expenditures of the custodian for vocational education of any State or the District of Columbia, that a portion of the preceding disbursement made to such State or the District of Columbia from the extension-work fund or the branch-station fund remains unexpended, a sum equal to such portion shall be deducted by him from the next succeeding annual disbursement from such fund to such State or the District of Columbia, in order that the amount of money distributed to any State or the District of Columbia from any fund provided for in this act shall not exceed the amount actually and necessarily required by the State for the purpose for which such money from such fund may be expended under the provisions of this act.

SEC. 29. That each State and the District of Columbia shall receive for the respective purposes herein provided only such portion of the full amount of any fund to which such State or the District of Columbia would otherwise be entitled as in the judgment of the Secretary of the Interior or of the Secretary of Agriculture, in the discharge of their respective responsibilities under this act, it has made ample preparations to use to advantage. And all such moneys as would otherwise be allotted to the respective States and the District of Columbia, but as are not so allotted by the Secretary of the Interior or the Secretary of Agriculture, shall remain in the Treasury.

SEC. 30. That the Secretary of the Interior may withhold a certificate from any State or the District of Columbia for the whole or any part of its annual allotment of money for schools of secondary grade, or for the training of teachers in agriculture, the trades and industries, and home economics to which he decides it not to be entitled under the provisions of this act; and the Secretary of Agriculture may withhold a certificate from any State for the whole or any part of its annual allotment for extension departments or branch stations to which he decides it not to be entitled under the provisions of this act. If the Secretary of the Interior or the Secretary of Agriculture, as herein provided, shall withhold a certificate from any State or the District of Columbia for the whole or any part of its allotment, the facts and reasons therefor shall be reported to the President, in order that the State or the District of Columbia may, if it shall so desire, appeal to Congress from the determination of the Secretary of the Interior or the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 31. That the moneys received by any State or the District of Columbia for any given purpose under the provisions of this act shall be used only for such purpose, and shall be distributed among the institutions entitled to the benefit of such moneys in proportion to the amount which each expends out of other income derived from general

or from local public funds for the same purpose during the same period; or such money shall be distributed on some other basis and according to some other plan previously adopted by the Board for Vocational Education or by legislative authority for such State or the District of Columbia, with the approval of the Secretary of the Interior; but there shall in no case be disbursed under the terms of this act to any school or college, out of moneys derived from the secondary school department fund, the industrial or home economics school fund, the district agricultural school fund, the college teachers' training fund, or the normal teachers' training fund, as provided in this act, more money than 50 per cent of the amount which is supplied and expended during the same period for the same purpose for which such fund is to be expended out of either State and local or State or local public moneys.

SEC. 32. That all States, Territories, and the District of Columbia accepting the benefit of any fund under this act shall provide other moneys with which to pay the cost of providing the necessary lands and buildings, and to pay the entire cost of all instruction, supplementary to the practical and technical instruction provided for in this act, necessary in order to complete well-rounded courses of training, the main purposes of which are to give vocational as well as general preparation for agriculture, the trades and industries, and home making, or to prepare teachers for these vocations, suited to the needs of the respective sections and communities of the United States.

SEC. 33. That all correspondence for the furtherance of extension work, as provided for in this act, issued from the State colleges of agriculture and the mechanic arts, receiving the benefits of this act shall be transmitted in the mails of the United States and dependencies free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 34. That the Secretary of the Interior shall make an annual report to Congress on his administration of the secondary school department fund, the industrial and household arts school fund, the district agricultural high school fund, the college teachers' training fund, and the normal teachers' training fund, under the provisions of this act, and on the work of the boards for vocational education of each State and the District of Columbia in their administration of the moneys received from such funds under the provisions of this act; and he shall make one or more reports to Congress not later than June 30, 1915, concerning the organization of vocational education as provided for in this act.

SEC. 35. That the Secretary of Agriculture shall make an annual report to Congress on his administration of the extension department fund, and the branch station fund, and on the work of the boards of control of the colleges and experiment stations in their administration of the moneys received by them from such funds under the provisions of this act.

SEC. 36. That this act shall take effect immediately on its passage.

Mr. SMOOT. Mr. President, I wish to say that I shall vote for substituting Senate bill No. 3 for what is known as the Lever bill; but if that is carried and the Senate is to consider that bill, then I shall hope at least that, as the Lever bill refers only to extension work, it will be substituted for that part of Senate bill No. 3, because I believe that the Lever bill covers the extension department work in a much more satisfactory form than that work is covered under the Page bill. That can be done afterwards, if the Senate sees fit to substitute the Page bill for the Lever bill.

Mr. SMITH of Georgia. Or it can be done in conference.

Mr. PAGE. I wish to say in regard to that matter what I have said to the Senator from Georgia repeatedly, that the same purpose is aimed at, and if there is any way in which my bill could be amended to make good the purpose of his bill I would be very glad to have it done. I only ask that the fundamentals of the bill be maintained; and I shall hope that every Senator who can see any way to amend the bill in any detail will be prompt to move amendments to the substitute which I have offered.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Vermont [Mr. PAGE] to the bill.

Mr. BURTON. Mr. President, I desire to offer two amendments to the bill under consideration, House bill No. 22871. I ask to have them printed and lie on the table.

The PRESIDING OFFICER. The Senator from Ohio offers two amendments, and asks that they be printed and lie on the table.

Mr. PAGE. I wish that they might be read, if they are brief.

The PRESIDING OFFICER. Without objection, the amendments will be read.

The SECRETARY. At the end of section 2 strike out the period and add the words:

And farm-management work.

Mr. SMITH of Georgia. One moment, Mr. President. I think we would be glad to accept that amendment.

Mr. BURTON. I move its adoption.

Mr. GALLINGER. The substitute is pending.

The PRESIDING OFFICER. There is an amendment pending, the substitute offered by the Senator from Vermont.

Mr. SMITH of Georgia. This is an amendment to the original bill, and we have the right, of course, to perfect the original bill.

Mr. PAGE. Mr. President, a parliamentary inquiry. We are trying to make the measure acceptable, and so far as I am concerned, I would be glad to accept the amendment of the Senator from Ohio at this time.

The PRESIDING OFFICER. The Chair thinks as it is an amendment to the original bill and not to the substitute that it is in order to perfect the original bill.

Mr. GALLINGER. Yes; I beg pardon. I had the two bills confounded. It is evidently in order.

The PRESIDING OFFICER. The Secretary will again read the amendment proposed by the Senator from Ohio [Mr. BURTON].

The SECRETARY. At the end of section 2 strike out the period and insert the words:

And farm-management work.

Mr. GRONNA. Mr. President, I have no objection to this particular amendment. I had hoped the Senator from Vermont would ask that a day be fixed for the consideration of these two bills, and I also hope that all amendments presented now will be pending until such day as we may consider the bill.

Mr. PAGE. I had supposed the request to fix a time for the consideration of the bill should properly come from the Senator from Georgia, and I did not make that request.

Mr. SMITH of Georgia. I am just waiting to confer with Senators.

Mr. GRONNA. I understand that the bill is up for consideration now.

The PRESIDING OFFICER. It is now under consideration and open to amendment. An amendment is pending.

Mr. GRONNA. Very well.

The PRESIDING OFFICER. Does the Senator from Georgia accept the amendment offered by the Senator from Ohio [Mr. BURTON]?

Mr. SMITH of Georgia. I think, perhaps, at the suggestion of other Senators, it had better be printed, and that all the amendments lie on the table for the present.

Mr. CLARKE of Arkansas. Mr. President, I think the suggestion made by the Senator from North Dakota [Mr. GRONNA] an excellent one. For the first time many of us have come face to face with a situation that requires us to familiarize ourselves in absolute detail as to the difference between the two bills and the general purposes that they are to accomplish. It may be that there are some features in one that are excellent not contained in the other that we would desire to include in a composite bill if we had the opportunity, but if it is submitted now as a single question to take one or the other we may be deprived of that opportunity.

I think it a good idea to have all the amendments that are offered pending as well as the proposition to substitute the Page bill for the Lever bill, and when we come to deal with that on some fixed day we will then be prepared to know just exactly whether we want to substitute one bill or a part of it for the other, or take a part of one and a part of the other. It will contribute to a more intelligent disposition of the matter which everybody ought to feel an interest in, and I assume every Senator does feel an interest in it. Because of my own deficiencies in that respect, and I assume others are in the same fix that I am, I quite earnestly hope that it will be the pleasure of the Senate to agree to the suggestion made by the Senator from North Dakota.

Mr. PAGE. I ask that the second amendment, submitted by the Senator from Ohio [Mr. BURTON], may be read.

The PRESIDING OFFICER. The second amendment, submitted by the Senator from Ohio, will be read.

The SECRETARY. It is proposed to add at the end of section 9:

And he shall have authority to coordinate the extension work contemplated in this act with the agricultural demonstration work now being conducted by the United States Department of Agriculture.

The PRESIDING OFFICER. Without objection, this amendment will be printed and lie on the table for consideration with the substitute and the original bill. What is the pleasure of the Senate?

DEBORAH A. GRIFFIN AND MARY J. GRIFFIN.

Mr. JONES. While Senators are conferring with reference to the bill under consideration, I ask unanimous consent that the Senate consider the bill (S. 7785) confirming titles of Deborah A. Griffin and Mary J. Griffin, and for other purposes. It is purely a local measure.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent for the present consideration of the bill, which will be read for the information of the Senate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. CULBERSON. From what committee does that bill come?

Mr. JONES. From the Committee on Public Lands.

The bill was reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, page 1, line 4, after the word "allotment," to insert "in accordance with the provisions of the act of July 4, 1884 (23 Stat. L., 79)," and on page 2, line 2, after the name "Mary J. Griffin," to insert "and trust patent issue thereon under the provisions of the act of March 8, 1906 (34 Stat. L., 55)," so as to make the section read:

That the Secretary of the Interior be, and is hereby, authorized and directed to make an allotment, in accordance with the provisions of the act of July 4, 1884 (23 Stat. L., 79), of not more than 200 acres of land within the diminished Colville Indian Reservation, in the State of Washington, for the benefit of the heirs of Que-lock-us-soma, deceased, Moses agreement allottee No. 35, jointly, in lieu of the portion of the Moses agreement allotment No. 35 embraced within the patented homestead entries of Deborah A. Griffin and Mary J. Griffin, and trust patent issue thereon under the provisions of the act of March 8, 1906 (34 Stat. L., 55).

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 13, after the word "quarter," to insert "of the southwest quarter," and in line 18, after the word "allotment," to strike out "for" and insert "of," so as to make the section read:

Sec. 2. That the patent in fee heretofore issued in the name of Deborah A. Griffin, June 30, 1906, for lots 1 and 2 and the northeast quarter southeast quarter section 6, and lots 1 and 2, section 5, township 36 north, range 27 east of the Willamette meridian; and a similar patent issued in the name of Mary J. Griffin, November 21, 1910, for the southeast quarter of the southwest quarter, and lots 5, 6, and 9 of section 31, township 37 north, range 27 east of the Willamette meridian, all situated in Okanogan County, Wash., be, and the same are hereby, confirmed and declared valid notwithstanding the previous allotment of a portion of this land under Moses agreement allotment No. 35.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LICENSES OF DRIVERS OF PASSENGER VEHICLES.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (H. R. 22010) to amend the license law, approved July 1, 1902, with respect to licenses of drivers of passenger vehicles for hire.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGRICULTURAL EXTENSION DEPARTMENT.

Mr. SMOOT. Mr. President—

Mr. SMITH of Georgia. Mr. President, one word, if the Senator from Utah will allow me—

Mr. SMOOT. I yield to the Senator.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, I think now that it probably would be best to discontinue the consideration of the House bill for the creation of the extension divisions of the agricultural colleges; and, with the consent of the Senate, I will do so; but I desire to give notice that on Monday morning next, immediately after the morning business, I shall ask the Senate to again take up the bill for consideration, and at that time I shall endeavor to keep it before the Senate until a vote is had upon it. I do not ask unanimous consent, but simply give notice, so that Senators may all understand that the probability is that the bill will go forward on Monday to a vote, both upon the substitute and upon the original bill. I take this course in deference to the views of some of the Senators who are disposed to cooperate with me to give the bill a hearing on Monday and yet hesitate about making a unanimous-consent agreement.

EXECUTIVE SESSION.

Mr. SMOOT. I move that the Senate proceed to the consideration of executive business.

Mr. SMITH of Georgia. Mr. President, I do not think we have a quorum.

Mr. CULBERSON. Let us have an executive session.

Mr. CLARKE of Arkansas. Let us first have a quorum. I suggest the absence of a quorum.

The PRESIDING OFFICER. Pending the motion of the Senator from Utah [Mr. Smoot], the Senator from Arkansas [Mr. Clarke] suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bourne	Clapp	Curtis	Heiskell
Bradley	Clarke, Ark.	Dillingham	Hitchcock
Brandegee	Crane	Fletcher	Johnson, Me.
Bryan	Crawford	Gallinger	Johnston, Tex.
Burton	Culbertson	Gore	Jones
Chamberlain	Cullom	Gronna	Kenyon

La Follette	Myers	Root	Stephenson
Lippitt	Newlands	Shively	Stone
Lodge	Oliver	Simmons	Sutherland
McCumber	Paynter	Smith, Ariz.	Swanson
McLean	Perkins	Smith, Ga.	Wetmore
Martin, Va.	Perky	Smith, Md.	
Martine, N. J.	Poindexter	Smoot	

The PRESIDING OFFICER. Fifty Senators have answered to their names. A quorum of the Senate is present. The question is on agreeing to the motion of the Senator from Utah, that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After two hours and three minutes spent in executive session, the doors were reopened, and (at 4 o'clock and 45 minutes) the Senate adjourned until to-morrow, Saturday, January 18, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 17, 1913.

RECEIVERS OF PUBLIC MONEYS.

Elisha B. Wood, of Minnesota, to be receiver of public moneys at Cass Lake, Minn., his term expiring January 20, 1913. (Reappointment.)

Louis H. Arneson, of Oregon, to be receiver of public moneys at The Dalles, Oreg., his term having expired December 12, 1911. (Reappointment.)

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from January 16, 1913.

Frank Nicholas Cochems, of Colorado.
James Quitman Fountain, of Mississippi.
Edward Starr Judd, of Minnesota.
Joseph MacDonald, jr., of New Jersey.
Justus Matthews, of Minnesota.
Charles Horace Mayo, of Minnesota.
Irving David Steinhardt, of New York.

PROMOTIONS IN THE NAVY.

Medical Inspector Andrew R. Wentworth to be a medical director in the Navy from the 28th day of December, 1912, to fill a vacancy.

Surg. Edward S. Bogert, jr., to be a medical inspector in the Navy from the 28th day of December, 1912, to fill a vacancy.

Surg. Leckinski W. Spratling to be a medical inspector in the Navy from the 12th day of January, 1913, to fill a vacancy.

Machinist Adolph Peterson to be a chief machinist in the Navy from the 27th day of December, 1912, upon the completion of six years' service as a machinist.

Second Lieut. Robert W. Voeth to be a first lieutenant in the Marine Corps from the 22d day of August, 1912, to fill a vacancy.

POSTMASTERS.

ALABAMA.

Dallas B. Smith to be postmaster at Opelika, Ala., in place of Dallas B. Smith. Incumbent's commission expired January 11, 1913.

ARKANSAS.

Edward Bowers to be postmaster at De Witt, Ark., in place of Edward Bowers. Incumbent's commission expired January 14, 1913.

James N. Dowell to be postmaster at Danville, Ark. Office became presidential January 1, 1913.

CALIFORNIA.

Robert R. Allen to be postmaster at King City, Cal., in place of Robert R. Allen. Incumbent's commission expires February 20, 1913.

James T. Clayton to be postmaster at Elsinore, Cal., in place of James T. Clayton. Incumbent's commission expires January 20, 1913.

Lena O. Gregory to be postmaster at Rocklin, Cal., in place of Lena O. Gregory. Incumbent's commission expires January 20, 1913.

CONNECTICUT.

Edward E. Ashley to be postmaster at Plainfield, Conn. Office became presidential October 1, 1912.

Jerome S. Gainer to be postmaster at Norton Heights, Conn., in place of Jerome S. Gainer. Incumbent's commission expired January 11, 1913.

FLORIDA.

D. W. Burke to be postmaster at De Funiack Springs, Fla., in place of William C. Eddy. Incumbent's commission expires February 9, 1913.

GEORGIA.

Sallie S. Dailey to be postmaster at McDonough, Ga., in place of Samuel E. Dailey, deceased.

IDAHO.

A. L. Trenam to be postmaster at Weiser, Idaho, in place of Albert J. Hopkins. Incumbent's commission expired February 19, 1912.

ILLINOIS.

Lulu R. Anderson to be postmaster at Kirkland, Ill., in place of Lulu R. Anderson. Incumbent's commission expired January 11, 1913.

Philip H. Baker to be postmaster at Jonesboro, Ill., in place of Philip H. Baker. Incumbent's commission expired January 11, 1913.

Omer N. Custer to be postmaster at Galesburg, Ill., in place of Omer N. Custer. Incumbent's commission expired January 14, 1913.

Charles J. Ferguson to be postmaster at East Alton, Ill., in place of Charles J. Ferguson. Incumbent's commission expires February 20, 1913.

INDIANA.

Hattie Yarger to be postmaster at Wanatah, Ind., in place of Hattie Yarger. Incumbent's commission expired January 14, 1913.

IOWA.

Richard M. Boyd to be postmaster at Sanborn, Iowa, in place of Richard M. Boyd. Incumbent's commission expired January 11, 1913.

Clinton S. Grouse to be postmaster at Prescott, Iowa, in place of Clinton S. Grouse. Incumbent's commission expired January 11, 1913.

E. E. Heldridge to be postmaster at Milford, Iowa, in place of E. E. Heldridge. Incumbent's commission expires February 9, 1913.

James M. Hutcheson to be postmaster at Blanchard, Iowa, in place of James M. Hutcheson. Incumbent's commission expires February 9, 1913.

Chris Jensen to be postmaster at Graettinger, Iowa. Office became presidential January 1, 1912.

John M. Ryan to be postmaster at Eddyville, Iowa, in place of J. M. Crosson. Incumbent's commission expires February 9, 1913.

Thomas R. Shaw to be postmaster at Coin, Iowa, in place of Thomas R. Shaw. Incumbent's commission expires February 20, 1913.

Robert M. Willard to be postmaster at Lost Nation, Iowa, in place of Robert M. Willard. Incumbent's commission expired April 9, 1912.

KANSAS.

Charles E. Green to be postmaster at Effingham, Kans., in place of Charles E. Green. Incumbent's commission expires February 11, 1913.

LOUISIANA.

Lavinia Insley to be postmaster at Delhi, La., in place of Lavinia Insley. Incumbent's commission expires February 18, 1913.

Charles Manning to be postmaster at Cheneyville, La. Office became presidential January 1, 1913.

Adah Rous to be postmaster at Lake Providence, La., in place of Adah Rous. Incumbent's commission expires January 29, 1913.

MAINE.

Jacob F. Hersey to be postmaster at Patten, Me., in place of Jacob F. Hersey. Incumbent's commission expires January 20, 1913.

MASSACHUSETTS.

George A. Birnie to be postmaster at Ludlow, Mass., in place of George A. Birnie. Incumbent's commission expired January 11, 1913.

Lawrence W. Dower to be postmaster at Easthampton, Mass., in place of Lawrence W. Dower. Incumbent's commission expires February 11, 1913.

MICHIGAN.

R. F. Lemon to be postmaster at Harbor Springs, Mich., in place of R. F. Lemon. Incumbent's commission expired January 11, 1913.

Newton E. Miller to be postmaster at Athens, Mich., in place of Newton E. Miller. Incumbent's commission expired January 12, 1913.

Joseph H. Stephenson to be postmaster at Boyne Falls, Mich. Office became presidential January 1, 1913.

MINNESOTA.

John H. Frost to be postmaster at Minneota, Minn., in place of Gunnar B. Bjornson, resigned.

John P. Lundin to be postmaster at Stephen, Minn., in place of John P. Lundin. Incumbent's commission expired January 12, 1913.

Sterling V. Nixon to be postmaster at Eyota, Minn., in place of Rollo C. Dugan, resigned.

NEBRASKA.

Ray Hicks to be postmaster at Sargent, Nebr., in place of Similien L. Perin. Incumbent's commission expired March 31, 1912.

NEVADA.

Charles F. Littrell to be postmaster at Austin, Nev., in place of Charles F. Littrell. Incumbent's commission expired February 7, 1911.

NEW JERSEY.

W. Burtis Havens to be postmaster at Toms River, N. J., in place of W. Burtis Havens. Incumbent's commission expired December 18, 1911.

Charles D. Stainton to be postmaster at Englewood, N. J., in place of Charles D. Stainton. Incumbent's commission expired March 11, 1912.

NEW MEXICO.

R. E. Rowells to be postmaster at Clovis, N. Mex., in place of W. A. Davis, removed.

NEW YORK.

James P. Fulton to be postmaster at Stanley, N. Y. Office became presidential January 1, 1913.

OHIO.

Walter Elliott to be postmaster at Ada, Ohio, in place of Walter Elliott. Incumbent's commission expires January 20, 1913.

Guy M. Kingsbury to be postmaster at Dunkirk, Ohio, in place of Guy M. Kingsbury. Incumbent's commission expires February 11, 1913.

Henry G. Rock to be postmaster at Sherwood, Ohio. Office became presidential January 1, 1913.

Lawrence H. Warren to be postmaster at Ohio City, Ohio, in place of Sidney J. Winney, removed.

PENNSYLVANIA.

Joseph B. Colcord to be postmaster at Port Allegany, Pa., in place of Joseph B. Colcord. Incumbent's commission expired January 13, 1913.

Thomas J. Davis to be postmaster at Avoca, Pa., in place of Thomas J. Davis. Incumbent's commission expires February 9, 1913.

William Krause to be postmaster at Richland Center, Pa., in place of William Krause. Incumbent's commission expired January 12, 1913.

RHODE ISLAND.

Walter A. Kilton to be postmaster at Providence, R. I., in place of Walter A. Kilton. Incumbent's commission expires February 17, 1913.

SOUTH DAKOTA.

Peter R. Stading to be postmaster at Freeman, S. Dak. Office became presidential January 1, 1913.

TEXAS.

John J. Bartlett to be postmaster at Hughes Springs, Tex., in place of John J. Bartlett. Incumbent's commission expired April 28, 1912.

WASHINGTON.

Charles E. Gehres to be postmaster at Connell, Wash., in place of Emery Troxel, resigned.

George F. Russell to be postmaster at Seattle, Wash., in place of George F. Russell. Incumbent's commission expired December 9, 1912.

WISCONSIN.

Joseph Brehm to be postmaster at Rib Lake, Wis., in place of Duncan McLennan, deceased.

Donal P. Butts to be postmaster at Frederic, Wis., in place of Donal P. Butts. Incumbent's commission expires February 9, 1913.

George M. Carnahan to be postmaster at Bruce, Wis., in place of George M. Carnahan. Incumbent's commission expired January 12, 1913.

Arthur R. Curtis to be postmaster at National Home, Wis., in place of Matthew O'Regan, deceased.

Charles F. Fine to be postmaster at Hillsboro, Wis., in place of Charles F. Fine. Incumbent's commission expires February 18, 1913.

Ray Haggerty to be postmaster at Park Falls, Wis., in place of Ray Haggerty. Incumbent's commission expired December 14, 1912.

Charles F. Henrizi to be postmaster at Menomonee Falls, Wis., in place of Charles F. Henrizi. Incumbent's commission expired February 22, 1910.

Jessie P. Horan to be postmaster at Friendship, Wis. Office became presidential January 1, 1913.

Elizabeth K. Nevins to be postmaster at Bloomington, Wis., in place of Elizabeth K. Nevins. Incumbent's commission expired January 12, 1913.

Alfred S. Otis to be postmaster at Maiden Rock, Wis., in place of Alfred S. Otis. Incumbent's commission expired January 12, 1913.

WYOMING.

John T. Johnson to be postmaster at Superior, Wyo., in place of Henry Harris, resigned.

WITHDRAWAL.

Executive nomination withdrawn from the Senate January 17, 1913.

POSTMASTER.

Matthew O'Regan to be postmaster at National Home, in the State of Wisconsin.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 17, 1913.

The House met at 12 o'clock noon.

Rev. W. R. Wedderspoon, D. D., of Washington, D. C., offered the following prayer:

Almighty God, our heavenly Father, we bow before Thee with reverence and with devotion. We realize our own weaknesses and our limitations, and we come to the God of wisdom and of power and of blessing and of guidance. We pray that Thou wilt peculiarly bless these, Thy servants, this day as they meet here together in deliberation. Give them a portion of the wisdom that Thou Thyself dost contain. Grant Thy peculiar blessings to these in Thy presence and to their homes, and bless the Chaplain in his sickness, and all Members of the House who may be detained for the same reason to-day.

Hear us for all the high interests that dominate and control us. Bless our own land and all in authority over us, from the one who sits in the chief place to the lowest in life's affairs; and all who have positions of trust, may they seek to live in Thy sight and move in Thy fear. Hear us for our own blessed land, and for the lands of the earth, and hasten the time when men everywhere will be found before Thee clothed in their right mind and dwelling as brothers everywhere. We ask for the pardon of every transgression in the name of our Lord and Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will ask the gentleman to withhold his point of order until a few small matters may be disposed of.

Mr. MOORE of Pennsylvania. Certainly, Mr. Speaker, I will withhold the point of order for the present.

EUGENE C. BONNIWELL.

The SPEAKER. The Chair has in his possession two communications. One of them purports to be a notice of contest by Eugene C. Bonniwell against Mr. Butler, of the seventh Pennsylvania district. On examination of the document, however, it turns out not to be a notice of contest but to be something more in the nature of a memorial to this House, setting forth that the gentleman from Pennsylvania [Mr. BUTLER] ought to be expelled from the House. The Chair also has a copy of the reply of the gentleman from Pennsylvania [Mr. BUTLER], and without consuming any more time the Chair refers both papers to the Committee on Elections No. 1.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested.

H. R. 26680. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 7515. An act for the relief of Col. Richard H. Wilson, Fourteenth Infantry, United States Army;

S. 7508. An act to amend an act entitled "An act to reincorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the German Orphan Asylum Association of the District of Columbia; and

S. 7415. An act granting to the Atchison, Topeka & Santa Fe Railway Co. a right of way through the Fort Wingate Military Reservation, in New Mexico, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 7515. An act for the relief of Col. Richard H. Wilson, Fourteenth Infantry, United States Army; to the Committee on Claims.

S. 7508. An act to amend an act entitled "An act to reincorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the German Orphan Asylum Association of the District of Columbia; to the Committee on the District of Columbia.

S. 7415. An act granting to the Atchison, Topeka & Santa Fe Railway Co. a right of way through the Fort Wingate Military Reservation in New Mexico, and for other purposes; to the Committee on Military Affairs.

EMANCIPATION ACT CELEBRATION.

Mr. FITZGERALD. Mr. Speaker, by direction of the Committee on Appropriations I report back Senate bill 180, providing for the celebration of the semicentennial anniversary of the act of emancipation, and for other purposes, and move that it be referred to the Committee on Industrial Arts and Expositions.

Mr. HEFLIN. Mr. Speaker, I ask unanimous consent to address the House on this proposition.

The SPEAKER. The motion itself is not debatable. The gentleman from Alabama has asked unanimous consent to address the House. For how long?

Mr. HEFLIN. For 10 minutes.

Mr. FITZGERALD. Mr. Speaker, I suggest that if the gentleman desires to address the House he also ask that some one on behalf of the Committee on Appropriations be granted the same privilege.

Mr. HEFLIN. Mr. Speaker, if some one from the Committee on Appropriations would like to address the House, I shall not object.

The SPEAKER. The gentleman from Alabama asks unanimous consent to address the House for 10 minutes on the motion of the gentleman from New York [Mr. FITZGERALD].

Mr. HAMILL. Mr. Speaker, reserving the right to object, I would ask the introducer of the measure to tell us just what are the purposes of it.

Mr. FITZGERALD. Mr. Speaker, I can not. The motion is not debatable unless unanimous consent is given by the House.

Mr. HEFLIN. Mr. Speaker, let me put the proposition in this way, that seven and one-half minutes be given to me and that seven and one-half minutes be given to some member of the Committee on Appropriations, the time to be in control of the chairman of that committee.

The SPEAKER. The Chair will state that the gentleman from Pennsylvania made the point of no quorum, and that is a right which the Chair feels very much like reserving.

Mr. MOORE of Pennsylvania. Mr. Speaker, I think the gentleman from Alabama had better withhold his request for the present, because I shall insist upon the point of order unless he does. There are some very important matters pending, which may be called up at any time, and I think there should be a quorum present.

The SPEAKER. This matter is not debatable.

Mr. MOORE of Pennsylvania. Then, Mr. Speaker, I object to the request of the gentleman, and make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House. The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 72, noes 5.

So the motion was agreed to.